

IN THE MATTER OF THE APPLICATION OF SHOPPING CENTER ASSOCIATES, ET AL FOR A SPECIAL HEARING AND ZONING VARIANCE ON PROPERTY LOCATED ON THE SOUTH SIDE OF JOPPA ROAD, EAST OF PERRING PLAZA (PERRING PLAZA SHOPPING CTR.) 9TH ELECTION DISTRICT 6TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD
* OF APPEALS OF
* BALTIMORE COUNTY

CASE NO. 90-272-SPHA 91-27 Z-4

ORDER OF DISMISSAL

This case comes before this Board on appeal from the decision of the Zoning Commissioner dated April 3, 1991 granting with a restriction the Petition for Zoning Variance and granting the Petition for Special Hearing on property located in the Ninth Election District of Baltimore County.

WHEREAS, the Board is in receipt of a letter of dismissal filed by Judith G. Fader, Esquire on behalf of Keith Nusinov, General Partner with CDK & Associates, Protestants/Appellants in this matter on May 9, 1991 (a copy of which is attached hereto and made a part hereof); and

WHEREAS, the Board is also in receipt of a letter of dismissal filed by Newton A. Williams, Esquire on behalf of Shopping Center Associates, et al, Petitioners/Appellants in this matter on May 15, 1991 (a copy of which is attached hereto and made a part hereof); and

WHEREAS, said Counsel request that the appeals filed by them in this matter be dismissed and withdrawn as of May 9, 1991 and May 15, 1991, respectively,

Shopping Center Associates, et al, Case No. 91-272-SPHA 2.

IT IS HEREBY ORDERED this 17th day of May, 1991 by the County Board of Appeals of Baltimore County that said appeal be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
Arnold G. Foreman, Acting Chairman

C. William Clark

Harry E. Buchmeister, Jr.

IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - S/S Joppa Road, E of Perring Plaza 9th Election District 6th Councilmanic District

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY

Shopping Center Assoc., et al
Petitioners

* Case No. 91-272-SPHA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve the removal of the special exception previously granted the subject property in Case No. 5869-X which approved its use as a tire outlet and service garage, and variances to permit 1,765 parking spaces in lieu of the minimum required 2,198, to permit direct access parking on a vehicle travelway, to permit a one-way drive-through lane width of 9 feet in lieu of the required 12 feet, and to permit existing parking spaces to be 0 feet from the right-of-way line of a public street in lieu of the required 10 feet, all as more particularly described on Petitioner's Exhibit 1.

The Petitioners, by Burnell L. Lindquist, with Federal Realty Investment Trust, appeared, testified and were represented by Newton A. Williams, Esquire. Also appearing on behalf of the Petitions were John J. Stamm, Engineer, Thomas G. Kramer, Architect, William P. Sullivan, a Representative of Home Depot, and Mickey Cornelius, Traffic Engineer with The Traffic Group. Appearing as Protestants in the matter were Keith Nusinov, General Partner with C.D.K. & Associates, who was represented by Judith G. Fader, Esquire, and Richard Mandelson, a retired Soils Engineer.

Testimony indicated that the subject property consists of 29.36 acres more or less zoned B.L.-C.C.C., and is improved with a shopping center known as the Perring Plaza Shopping Center as depicted on Petition-

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Date 5/16/91
By [Signature]

er's Exhibit 1. Petitioners are desirous of razing the existing cinema, tire store and bank located on the subject property and constructing a "Home Depot" anchor store which deals exclusively with the "home improvement" market. Mr. Lindquist testified that the Home Depot will consist of approximately 102,000 sq.ft., plus a garden center. He indicated that the property currently enjoys a parking variance and that the proposed use, although still needing a parking variance, will provide an additional 178 parking spaces to the site, via the aforementioned razed buildings.

William Sullivan testified that the proposed store will employ approximately 75 to 100 employees at any one time and will be open Monday through Friday, from 7:00 AM to 9:00 PM, Saturdays, from 8:00 AM to 6:00 PM and Sundays, from 7:00 AM to 6:00 PM. Mr. Sullivan indicated that based on the parking demands of other Home Depot stores around the country, it is his opinion that there is more than adequate parking on the subject site to accommodate the store's customers.

John Stamm described the layout of the property and testified that the only way to provide additional parking would be to eliminate the proposed landscape islands depicted on Petitioner's Exhibit 1. Mr. Stamm indicated that in his opinion, the landscape islands were an asset to this site and the community, and that Petitioner would suffer undue hardship and practical difficulty should the requested variance relief be denied.

Mickey Cornelius testified regarding the parking study he conducted on the subject site as set forth in Petitioner's Exhibit 6. He testified at length regarding the "peak time" periods for stores such as the Home Depot and indicated that in his expert opinion, the proposed parking layout is sufficient to accommodate the proposed use. Mr. Cornelius also

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indicated that in his opinion the Petitioners would suffer undue hardship and practical difficulty should the relief requested be denied.

Keith Nusinov appeared and testified as a Protestant. Mr. Nusinov owns the adjoining property to the south of the subject site. He testified that he is currently experiencing significant water seepage and runoff onto his parking lot from the subject property and that it has created hazardous icing conditions in the winter. Mr. Nusinov indicated that the liquid had a foul smell which prompted him to have it tested. Although no reports were submitted into evidence, Mr. Nusinov testified that he was advised that the water seeping onto his property was sewage and not merely water runoff. Mr. Nusinov also testified that his parking lot has become "stained" as a result of the liquid seepage.

Also appearing on behalf of the Protestants was Richard Mandelson, a retired Soils Engineer with the State Highway Administration. Although no documentation was submitted as evidence to corroborate his testimony, Mr. Mandelson testified that he was on the site when the Baltimore Gas and Electric Company dug a utility ditch adjacent to the Nusinov property. He indicated that the distinct odor of sewage was present prior to the trench being refilled. He also testified that dye was dropped into a manhole cover on Petitioners' property to determine whether the source of the alleged leak was emanating therefrom. Testimony indicated that the dye eventually surfaced on the Nusinov property.

Subsequent to the hearing in this matter, the Zoning Commissioner referred the issue of water seepage/sewage to the Baltimore County Department of Environmental Protection and Resource Management (DEPRM) for a determination as to the nature and source of the seepage problem. The Zoning Commissioner received correspondence dated March 22, 1991 from said

Department indicating that "the alleged sewage overflow is actually a high ground water table" and that "any problems with the high ground water table may be addressed through storm water management for the proposed construction." (See copy attached.)

Although the Protestants testified to sewage leaching onto their property from the subject site, they submitted no documented proof in the nature of studies, reports, etc. to corroborate the non-expert testimony. The only study before the Zoning Commissioner at this writing is the report submitted by DEPRM dated March 22, 1991 that indicates the problem is a high ground water table. This issue is open to debate and the Zoning Commissioner must decide issues of fact. There are no conclusive matters of fact to establish the source or type of water. Therefore, this matter shall be addressed as part of the construction and site development, beyond the jurisdiction of the Zoning Commissioner. Further, this issue is not directly linked to the variance request and the number of parking spaces will not directly impact the nature of the water seepage issue.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested in the special hearing should be granted. It has been established that the requirements from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel and that practical difficulty or unreasonable hardship would result if the relief requested were not granted. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and

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his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare. Further, in light of the fact that the proposed razing of existing structures will create additional parking for the proposed facility, there appears no reason to deny the relief requested.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing and variances should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3rd day of April, 1991 that the Petition for Special Hearing to approve the removal of the special exception previously granted the subject property in Case No. 5869-X which approved its use as a tire outlet and service garage, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance to permit 1,765 parking spaces in lieu of the minimum required 2,198, to

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Date 5/16/91
By [Signature]

permit direct access parking on a vehicle travelway, to permit a one-way drive-through lane width of 9 feet in lieu of the required 12 feet, and to permit existing parking spaces to be 0 feet from the right-of-way line of a public street in lieu of the required 10 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject however, to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

JRH:bjs

J. Robert Haines
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 5/16/91
By [Signature]

231
PETITION FOR SPECIAL HEARING
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-272-SPHA
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a Petition to retire Service Garage Case No. 5869-X, a fire outlet and service

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

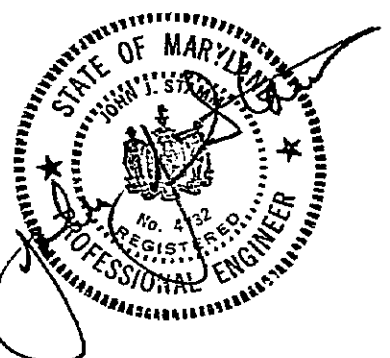
Contract Purchaser: Legal Owner(s):
(Type or Print Name) Shopping Center Associates
Signature: Hal A. Vasvari
Address: c/o 4800 Hampden Lane, Suite 100
City and State: Bethesda, Maryland 20814
Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
Nolan, Plumhoff & Williams, Chkd.
Address: 700 Court Towers, 210 W. Pennsylvania Avenue
City and State: Towson, Maryland 21204
Attorney's Telephone No.: 823-7800

ORDERED By The Zoning Commissioner of Baltimore County, this 27 day of Dec, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22 day of Jan, 1991, at 10:30 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

231
Description of Perring Plaza Shopping Center, 9th District, Baltimore County, Maryland.
Last mentioned land North 51° 06' 40" West 32.58 feet North 12° 10' 49" West 155.12 feet and South 85° 49' 11" West 142.74 feet to intersect the northeastern most right of way line of Baltimore Beltway I-695 as shown on State Roads Commission of Maryland Plat Nos. 25338 and 25337 and running thence and binding on said right of way line North 51° 06' 40" West 182.73 feet northwesterly by a curve to the right with a radius of 650.00 feet the distance of 219.08 feet (the chord of the arc bears North 22° 17' 50" West 218.04 feet) North 12° 38' 30" West 230.01 feet North 4° 38' 43" West 143.77 feet northwesterly by a curve to the left with a radius of 314.00 feet the distance of 256.67 feet (the chord of the arc bears North 36° 03' 31" West 249.58 feet) North 59° 28' 32" West 28.93 feet North 16° 42' 19" West 202.19 feet North 30° 31' 28" East 30.35 feet North 24° 35' 13" East 251.35 feet North 33° 23' 13" East and continuing along the right of way line of Perring Parkway as shown on State Roads Commission of Maryland Plat No. 25213 herein referred to, in all, 200.25 feet and North 72° 34' 33" East 49.17 feet to the place of beginning.
Containing 29.3555 acres of land, more or less.

91-272-SPHA



REVISED PLANS RECEIVED DEC 18 1990 231
PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-272-SPHA
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 10.1 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a Petition to retire Service Garage Case No. 5869-X, a fire outlet and service

REQUIRED ZONING VARIANCES, (ITEM #231)
1. VARIANCE FROM SECTION 409.6.A.2 TO PERMIT 1765 PARKING SPACES INSTEAD OF THE REQUIRED 2198
2. VARIANCE FROM SECTION 409.4 TO PERMIT DIRECT ACCESS PARKING ON A VEHICLE TRAVELWAY
3. VARIANCE FROM SECTION 409.4.A TO PERMIT A ONE WAY DRIVE-THROUGH LANE OF 9' INSTEAD OF THE REQUIRED 12'
4. VARIANCE FROM SECTION 409.8.A.4 TO PERMIT EXISTING PARKING SPACES 0' TO THE RIGHT-OF-WAY LINE OF A PUBLIC STREET IN LIEU OF THE REQUIRED 10'

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

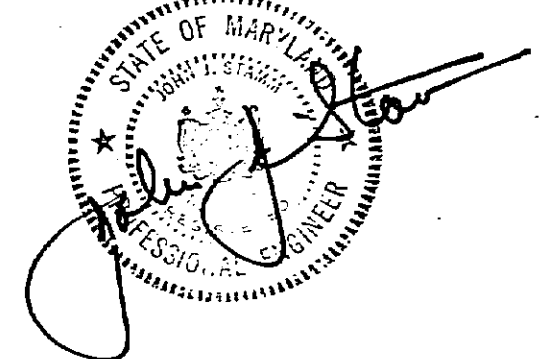
I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):
(Type or Print Name) Shopping Center Associates
Signature: Hal A. Vasvari
Address: c/o 4800 Hampden Lane, Suite 100
City and State: Bethesda, Maryland 20814
Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
Nolan, Plumhoff & Williams, Chkd.
Address: 700 Court Towers, 210 W. Pennsylvania Avenue
City and State: Towson, Maryland 21204
Attorney's Telephone No.: 823-7800

ORDERED By The Zoning Commissioner of Baltimore County, this 27 day of Dec, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22 day of Jan, 1991, at 10:30 o'clock A.M.

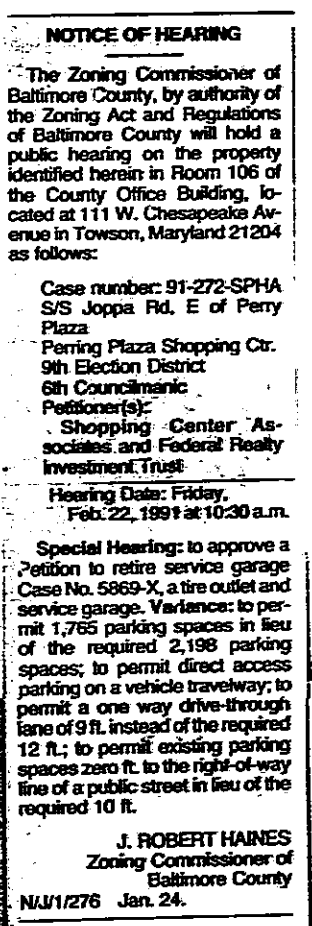
J. Robert Haines
Zoning Commissioner of Baltimore County

REVISED PLANS RECEIVED DEC 18 1990 231
FROM THE OFFICE OF GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
F.O. BOX 6082, TOWSON, MARYLAND 21204
December 19, 1990
Property Description for Case 5869-X, Special Hearing Item #5 on "Plat to Accompany Petition"
Beginning at a point on the centerline of Satyr Hill Road at the distance of 985.36 feet measured along the centerline of Satyr Hill Road from the intersection of the centerline of Satyr Hill Road with the centerline of Joppa Road, which point of beginning is also at the distance of 31.18 feet, South 21° 57' 09" East from the intersection of the centerline of Perring Plaza entrance No. 2; thence South 0° 26' 28" East a distance of 161.02 feet along centerline of Satyr Hill Road; thence South 87° 36' 41" East a distance of 14.24 feet to a point; thence South 1° 24' 11" West a distance of 95 feet to a point on centerline of Satyr Hill Road; thence South 77° 49' 11" West a distance of 190 feet to a point in the Perring Plaza parking lot; thence North 12° 10' 49" West a distance of approximately 254 feet to a point; thence North 77° 49' 11" East a distance of approximately 232 feet to point of beginning; said plot to contain 14 acres more or less.

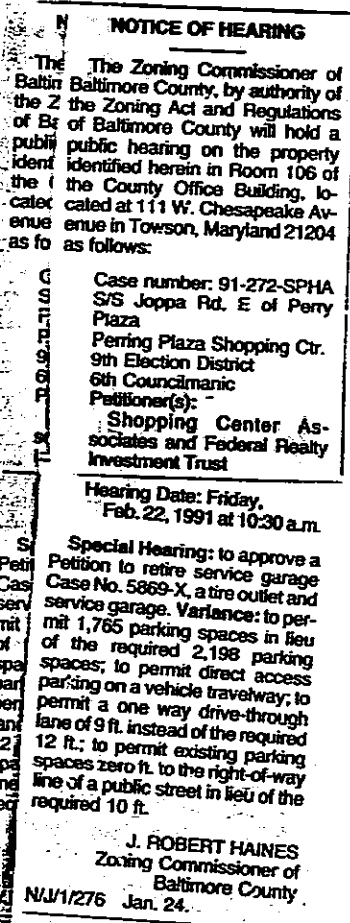


CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 9th Date of Posting: 7/1/91
Posted for: Special Hearing & Variance
Petitioner: Shopping Center Associates & Federal Realty Investment Trust
Location of property: Perring Plaza Shopping Center
Location of Sign: Perring Plaza Shopping Center, 9th District, Baltimore County, Maryland
Remarks:
Posted by: M. Haines Date of return: 7/1/91
Number of Signs: 2

CERTIFICATE OF PUBLICATION
TOWSON, MD., 1-25, 1991
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1-24, 1991.
THE JEFFERSONIAN,
S. Zeke Orlin
Publisher
\$ 84.03

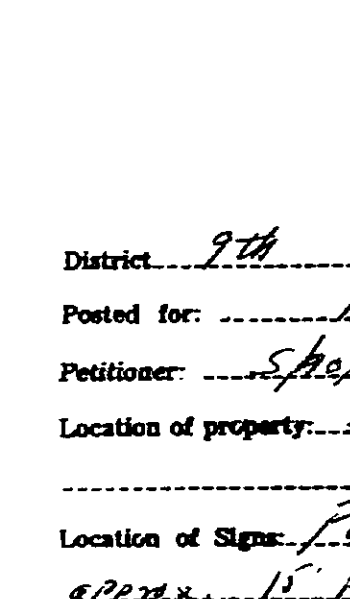


231
FROM THE OFFICE OF GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
F.O. BOX 6082, TOWSON, MARYLAND 21204
Description of Perring Plaza Shopping Center, 9th District, Baltimore County, Maryland.
Beginning for the same at a point on the southwest side of Joppa Road as widened, and as shown on State Highway Administration Plat No. 45880 at its intersection with the southeast side of Perring Parkway as shown on State Roads Commission of Maryland Plat No. 25213 and running thence and binding on the southwest side of Joppa Road as shown on the Plat first herein referred to southeasterly by a curve to the left with a radius of 2,007.60 feet the distance of 78.87 feet (the chord of the arc bears South 69° 35' 43" East 78.86 feet) South 70° 43' 15" East 195.34 feet southeasterly by a curve to the left with a radius of 1,541.92 feet the distance of 37.89 feet (the chord of the arc bears South 71° 42' 56" East 37.88 feet) and North 17° 36' 21" East 1.13 feet to the southwest side of Satyr Hill Road as widened and as shown on Baltimore County Department of Public Works Bureau of Land Acquisition Plats HW 62-114-1, 62-114-4, 62-114-3 and 62-114-2 South 70° 26' 13" East 43.05 feet southeasterly by a curve to the right with a radius of 250.00 feet the distance of 131.68 feet (the chord of the arc bears South 55° 20' 51" East 130.16 feet) South 40° 15' 29" East 207.77 feet southeasterly by a curve to the right with a radius of 595.14 feet the distance of 153.53 feet (the chord of the arc bears South 32° 52' 05" East 153.10 feet South 25° 28' 40" East 430.36 feet South 64° 31' 20" West 4.00 feet South 25° 28' 40" East 27.71 feet southeasterly by a curve to the right with a radius of 415.00 feet the distance of 199.27 feet (the chord of the arc bears South 11° 43' 20" East 197.36 feet) South 2° 02' 00" West 360.32 feet southeasterly by a curve to the left with a radius of 910.00 feet the distance of 147.80 feet (the chord of the arc bears South 2° 37' 11" East 147.64 feet and South 7° 16' 22" East 66.20 feet to intersect the sixth line of that parcel of land which by deed dated May 11, 1962 and recorded among the Land Records of Baltimore County in Liber W/R No. 3989 Folio 111 was conveyed by Charles Cesky, Jr. and wife to Columbia Shopping Center, Inc. and running thence and binding reversely on a part of said sixth line South 87° 33' 28" West 458.49 feet to intersect the twelfth line of that parcel of land which by deed dated February 25, 1963 and recorded among the aforesaid Land Records in Liber R/R No. 4112 Folio 256 was conveyed by Columbia Shopping Center, Inc. to Harold W. Scott, et al, trustees for Commonwealth Realty Trust and running thence and binding on a part of said twelfth line South 12° 10' 49" East 13.26 feet thence binding on the thirteenth, fourteenth and fifteenth lines of said



CERTIFICATE OF PUBLICATION
THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1-24, 1991.
NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER
S. Zeke Orlin
Publisher
\$ 84.03

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 9th Date of Posting: 5/1/91
Posted for: Special Hearing & Variance
Petitioner: Shopping Center Associates & Federal Realty Investment Trust
Location of property: Perring Plaza Shopping Center, 9th District, Baltimore County, Maryland
Location of Sign: Perring Plaza Shopping Center, 9th District, Baltimore County, Maryland
Remarks:
Posted by: M. Haines Date of return: 5/1/91
Number of Signs: 2



Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date: 91-272-SPHA

1/17/91

COPIES:	QTY	PRICE
750 - AUDIO TAPE	01 X	\$15.00
TOTAL:		\$15.00

Please Make Checks Payable To: Baltimore County
04404#0073HCHRC
09-0007149AKOS-18-91

Cashier Validation

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date:

1/17/91

COPIES:	QTY	PRICE
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Account: R-001-6150
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1/17/91

COPIES:	QTY	PRICE
750 - AUDIO TAPE	01 X	\$15.00
TOTAL:		\$15.00

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04404#0073HCHRC
09-0007149AKOS-18-91

Cashier Validation

NOLAN, PLUMHOFF & WILLIAMS, CHARTERED
No 3637

0341/01

THE SUM OF 15 DOLLARS 00 CTS

DATE: April 17, 1991

CHECK NO. 7-81/920

AMOUNT \$15.00

VOID IF NOT PRESENTED WITHIN 60 DAYS FROM DATE OF ISSUE

not-negotiable

PAY TO THE ORDER OF Baltimore County

003637* 1052000618* 5306721*

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date: 91-272-SPHA

5/19/91

COPIES:	QTY	PRICE
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TOTAL:		\$15.00

Please Make Checks Payable To: Baltimore County
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09-0007149AKOS-18-91

Cashier Validation

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date:

5/19/91

COPIES:	QTY	PRICE
750 - AUDIO TAPE	01 X	\$15.00
TOTAL:		\$15.00

Please Make Checks Payable To: Baltimore County
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09-0007149AKOS-18-91

Cashier Validation

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date: 91-272-SPHA

4/28/91

COPIES:	QTY	PRICE
750 - AUDIO TAPE	01 X	\$15.00
TOTAL:		\$15.00

Please Make Checks Payable To: Baltimore County
04404#0073HCHRC
09-0007149AKOS-18-91

Cashier Validation

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date: 91-272

2/21/91

COPIES:	QTY	PRICE
750 - AUDIO TAPE	01 X	\$15.00
TOTAL:		\$15.00

Please Make Checks Payable To: Baltimore County
04404#0073HCHRC
09-0007149AKOS-18-91

Cashier Validation

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 2/12/91

Shopping Center Associates/Federal Realty Investment Trust
4800 Hampden Lane, Suite 100
Bethesda, Maryland 20814

RE: Case Number: 91-272-SPHA
S/S Joppa Road, E of Perry Plaza
Perry Plaza Shopping Center
9th Election District - 6th Councilmanic
Petitioner(s): Shopping Center Associates and Federal Realty Investment Trust
HEARING: FRIDAY, FEBRUARY 22, 1991 at 10:30 a.m.

Dear Petitioner(s):

Please be advised that \$134.03 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Newton A. Williams, Esq.

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

January 14, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-272-SPHA
S/S Joppa Road, E of Perry Plaza
Perry Plaza Shopping Center
9th Election District - 6th Councilmanic
Petitioner(s): Shopping Center Associates and Federal Realty Investment Trust
HEARING: FRIDAY, FEBRUARY 22, 1991 at 10:30 a.m.

Special Hearing to approve a petition to retire service garage Case No. 5869-X, a tire outlet and service garage.
Variance to permit 1,765 parking spaces in lieu of the required 2,198 parking spaces; to permit direct access parking on a vehicle driveway; to permit a one way drive-through lane of 9 ft. instead of the required 12 ft.; to permit existing parking spaces zero ft. to the right-of-way line of a public street in lieu of the required 10 ft.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: Shopping Center Associates
Newton A. Williams, Esq.

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

January 8, 1991

Newton A. Williams, Esquire
Nolan, Plumhoff & Williams, Chtd
Suite 700, Court Towers
210 W. Pennsylvania Avenue
Towson, MD 21204

RE: Item No. 231, Case No. 91-272-SPHA
Petitioner: Shopping Center Associates
Petition for Zoning Variance

Dear Mr. Williams:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINTARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Hal A. Vasvari
Federal Realty Investment Trust
c/o 4800 Hampden Lane, Suite 100
Bethesda, MD 20814

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 27th day of December, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By: James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

Petitioner: Shopping Center Associates, et al
Petitioner's Attorney: Newton A. Williams



Maryland Department of Transportation
State Highway Administration

O. James Lightfoot
Secretary
Hal Kassoff
Administrator

February 7, 1991

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Attn: James Dyer

RE: Baltimore County
Perring Plaza Shopping Center
Zoning Meeting 12/26/90
S/S Joppa Road
east of Perring Parkway
Item 231

Dear Mr. Haines:

We have reviewed the submittal for a special hearing to approve a petition to retire service garage case No. 5369-x and offer the following:

We find the plan acceptable showing future right-of-way requirements along I-695, as stated in our July 19, 1989 letter to Mr. Robert Covahey.

If you have any questions, please contact Larry Bracato (333-1350).

Very truly yours,
John Contestabile
John Contestabile, Chief
Engineering Access Permits
Division

LB/es

cc: G.W. Stephens, Jr. and Associates Inc.
Mr. J. Ogle

My telephone number is 333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-452-5882 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County Government
Department of Public Works
Bureau of Traffic Engineering



401 Bosley Avenue Suite 405
Towson, MD 21204

887-3554
Fax 887-5781

January 9, 1991

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

Please see C.R.G. comments for items number 168, 231 and 232.

Very truly yours,
Rahae J. Famili
Rahae J. Famili
Traffic Engineer II

RJF/lvd

received
1/14/91

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

12/13/90
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

received
12/14/90

Zoning Item # 231, Zoning Advisory Committee Meeting of December 26, 1990
Property Owner: Shopping Center Associates + Fed Realty Investment Trust
Location: S/S Joppa Rd, E of Perring Plaza District: 9
Water Supply: metro Sewage Disposal: metro

- COMMENTS ARE AS FOLLOWS:
- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
 - (x) Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
 - () A permit to construct from the Bureau of Quality Management is required for any spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
 - () A permit to construct from the Bureau of Air Quality Management is required for any chabrolier generation which has a total cooking surface area of five (5) square feet or more.
 - () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
 - () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
 - () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
 - () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
 - (x) Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
 - () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
 - () Soil percolation tests, have been conducted, must be conducted.
 - () The results are valid until
 - () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
 - () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
 - () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
 - () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
 - () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.
 - () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
 - () Others

William A. Williams
BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500
Paul H. Reinke
Chief

DECEMBER 13, 1990



Dennis F. Reasman
County Council

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: SHOPPING CENTER ASSOCIATES AND
FEDERAL REALTY INVESTMENT TRUST

Location: PERRING PLAZA SHOPPING CENTER

Item No.: 231 Zoning Agenda: DECEMBER 26, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. OWNERS ENGINEER SHALL CALCULATE FIRE FLOW FROM MOST REMOTE HYDRANT ON-SITE. FIRE MAINS AS SHOWN HAVE INADEQUATE WATER SUPPLY FOR 122,550 SQ. FT. BUILDING.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *John A. Williams* 12-14-90 Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

received
12/17/90

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
DECEMBER 19, 1990

received
12/31/90

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING
FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 231
PROPERTY OWNER: Shopping Center Associates 7 Federal Realty Investment Trust
LOCATION: S/S Joppa Road, E of Perring Plaza (Perring Plaza Shopping Center)
ELECTION DISTRICT: 9th
COUNCILMANIC DISTRICT: 6th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- (x) PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- () PARKING LOCATION (x) RAMPS (degree slope)
- () NUMBER PARKING SPACES (x) CURB CUTS
- (x) BUILDING ACCESS (x) SIGNAGE
- () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- (x) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS ~~ARE~~ **ARE** REQUIRED.
- () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE). Additional sq ft area will require compliance to Section 502.2 effective 1/13/91
- (x) OTHER - the 1990 BOCA National Code as amended by Council Bill #192, effective 1/13/91

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: January 14, 1991

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for January 8, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 244, 249, 250, 251, 252, 253, 256, 258 and 260.

For Items 231 revised (Perring Plaza Shopping Center) and 247, the previous County Review Group comments are applicable.

For Items 254 and 255 and 257, County Review Group Meetings may be required.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

March 1, 1991

Newton A. Williams, Esquire
Court Towers, Suite 700
210 W. Pennsylvania Avenue
Towson, Maryland 21204

Judith G. Pader, Esquire
405 E. Joppa Road
Towson, Maryland 21204

RE: Petitions for Special Hearing and Zoning Variance
S/S Joppa Road, E of Perring Plaza
(Perring Plaza Shopping Center)
9th Election District - 6th Councilmanic District
Shopping Center Associates, et al - Petitioners
Case No. 91-272-SPHA

Dear Mr. Williams:

Pursuant to the sewage leaching problem raised at the hearing held on the above-captioned matter, attached please find copies of correspondence addressed to the Department of Environmental Protection and Resource Management and the Department of Public Works requesting an investigation into this matter. Upon receipt of any comments, we will forward a copy of same for your review.

In the meantime, no decision will be rendered until such time as this matter has been resolved.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: Case File

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 3, 1991

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Special Hearing and Zoning Variance
S/S Joppa Road, E of Perring Plaza
9th Election District, 6th Councilmanic District
SHOPPING CENTER ASSOC., ET AL - Petitioner
Case No. 91-272-SPHA

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on April 16, 1991 by Newton A. Williams, Attorney on behalf of the Petitioner. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:cer

Enclosures

cc: Hal A. Vasvari - Shopping Center Associates
c/o Burnell Lindquist, Federal Realty Investment Trust
4800 Hampden Lane, Bethesda, MD 20814

Newton A. Williams, Esquire - Nolan, Plunhoff & Williams
Suite 700, Court Towers, 210 W. Pennsylvania Ave, Towson, MD 21204

5/1/91 - 5/1/91

Appeal Cover Letter - Case No. 91-272-SPHA
Re: SHOPPING CENTER ASSOCIATES, ET AL - Petitioner
May 2, 1991
Page 2

John Stamm, 658 Kenilworth Drive, Towson, MD 21204

Thomas Kramer - William F. Kirwin, Inc.
28 E. Susquehanna Avenue, Towson, MD 21204

William Sullivan - Home Depot
692 Darlington Road, Atlanta, Georgia 30305

Mickey Cornelius
40 W. Chesapeake Ave., Suite 600, Towson, MD 21204

Keith Nusinov - C.D.K. & Associates
8720 Satyr Hill Road, Baltimore, MD 21234

Judith Fader, Esquire
405 E. Joppa Road, Towson, MD 21204

Mike Athas - 1999 E. Joppa Road, Baltimore, MD 21234

Richard Mandelson - 4530 Dower Drive, Ellicott City, MD 21043

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3553

May 6, 1991

Baltimore County Board of Appeals
County Office Building, Room 313
Towson, Maryland 21204

RE: Petition for Special Hearing and Zoning Variance
S/S Joppa Road, E of Perring Plaza
9th Election District, 6th Councilmanic District
SHOPPING CENTER ASSOC., ET AL - Petitioner
Case No. 91-272-SPHA

Dear Board:

Please be advised that two (2) requests for appeal of the above-referenced case were filed in this office (one request on April 16, 1991 by Newton A. Williams, Attorney on behalf of the Petitioner, and the second request on May 1, 1991 by Judith G. Fader, Esquire on behalf of Charles Nusinov & Sons and CDK & Associates. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. ROBERT HAINES
Zoning Commissioner

JRH:cer

Enclosures

cc: Hal A. Vasvari - Shopping Center Associates
c/o Burnell Lindquist, Federal Realty Investment Trust
4800 Hampden Lane, Bethesda, MD 20814

Newton A. Williams, Esquire - Nolan, Plunhoff & Williams
Suite 700, Court Towers, 210 W. Pennsylvania Ave, Towson, MD 21204

APPEAL

Petition for Special Hearing and Zoning Variance
S/S Joppa Road, E of Perring Plaza
(Perring Plaza Shopping Center)
9th Election District - 6th Councilmanic District
SHOPPING CENTER ASSOCIATES, ET AL - Petitioner
Case No. 91-272-SPHA

Petition for Special Hearing and Zoning Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel (None submitted)

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments (None submitted)

Petitioner's Exhibits: 1. Plat to accompany petition

2A. Topographical Worksheet

3. Elevation Preliminary Plan

4. The Home Depot (Facts and Figures)

5. Qualifications of Mickey A. Cornelius

6. Parking Study (Perring Plaza S.C.)

Protestant's Exhibits: 1. Photographs

Zoning Commissioner's Order dated April 3, 1991 (Granted w/ restriction)

Notice of Appeal received April 16, 1991 from Newton A. Williams, Attorney on behalf of the Petitioners

cc: Hal A. Vasvari - Shopping Center Associates
c/o Burnell Lindquist, Federal Realty Investment Trust
4800 Hampden Lane, Bethesda, MD 20814

Newton A. Williams, Esquire - Nolan, Plunhoff & Williams
Suite 700, Court Towers, 210 W. Pennsylvania Ave., Towson, MD 21204

John Stamm, 658 Kenilworth Drive, Towson, MD 21204

Thomas Kramer - William F. Kirwin, Inc.
28 E. Susquehanna Avenue, Towson, MD 21204

William Sullivan - Home Depot
692 Darlington Road, Atlanta, Georgia 30305

Appeal Checklist - Case No. 91-272-SPHA
Re: SHOPPING CENTER ASSOCIATES, ET AL - Petitioners
May 2, 1991
Page 2

Mickey Cornelius
40 W. Chesapeake Ave., Suite 600, Towson, MD 21204

Keith Nusinov - C.D.K. & Associates
8720 Satyr Hill Road, Baltimore, MD 21234

Judith Fader, Esquire
405 E. Joppa Road, Towson, MD 21204

Mike Athas - 1999 E. Joppa Road, Baltimore, MD 21234

Richard Mandelson - 4530 Dower Drive, Ellicott City, MD 21043

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Ann M. Nastarowicz, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Chief Deputy County Attorney
Public Services

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: Gene L. Neff, Director DATE: March 1, 1991
Department of Public Works

FROM: J. Robert Haines
Zoning Commissioner

SUBJECT: Petitions for Special Hearing and Zoning Variance
S/S Joppa Road, E of Perring Plaza
(Perring Plaza Shopping Center)
9th Election District - 6th Councilmanic District
Shopping Center Associates, et al - Petitioners
Case No. 91-272-SPHA

A hearing was held on the above-captioned matter on February 22, 1991 regarding the removal of certain buildings and the construction of a proposed retail center on the subject property. Testimony and evidence presented at the hearing indicated that sewage is allegedly leeching from the southeast corner of the subject site and is manifesting itself as surface runoff on the adjacent Charles A. Nusinov property.

I am therefore requesting that you look into this matter and advise me if there is such a problem and whether or not the proposed construction will exacerbate the situation. For your information, CRG approved the proposed project, subject to the outcome of the zoning hearing in this matter. Further, the Zoning Plans Advisory Committee comments received from the Developers Engineering Division dated January 14, 1991 did not reference any problems of this nature.

If you have any questions on the subject, please feel free to contact me or Joseph Merrey, Legal Assistant, on Ext. 3913. Further, the case file is available in my office in the event you wish to review the site plan.

Thank you for your attention in this matter.

JRH:bjs

cc: Case File

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: J. John Diester, Director DATE: March 1, 1991
Department of Environmental
Protection & Resource Management

FROM: J. Robert Haines
Zoning Commissioner

SUBJECT: Petitions for Special Hearing and Zoning Variance
S/S Joppa Road, E of Perring Plaza
(Perring Plaza Shopping Center)
9th Election District - 6th Councilmanic District
Shopping Center Associates, et al - Petitioners
Case No. 91-272-SPHA

A hearing was held on the above-captioned matter on February 22, 1991 regarding the removal of certain buildings and the construction of a proposed retail center on the subject property. Testimony and evidence presented at the hearing indicated that sewage is allegedly leeching from the southeast corner of the subject site and is manifesting itself as surface runoff on the adjacent Charles A. Nusinov property.

I am therefore requesting that you look into this matter and advise me if there is such a problem and whether or not the proposed construction will exacerbate the situation. For your information, CRG approved the proposed project, subject to the outcome of the zoning hearing in this matter. Further, the Zoning Plans Advisory Committee comments received from the Bureau of Water Quality and Resource Management Division of DEPRM dated December 13, 1990 did not reference any problems of this nature.

If you have any questions on the subject, please feel free to contact me or Joseph Merrey, Legal Assistant, on Ext. 3913. Further, the case file is available in my office in the event you wish to review the site plan.

Thank you for your attention in this matter.

JRH:bjs

cc: Case File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: March 7, 1991
Zoning Commissioner

FROM: Gene L. Neff, Director
Department of Public Works

SUBJECT: Petitions for Special Hearing and Zoning Variance
S/S Joppa Road, E of Perring Plaza
(Perring Plaza Shopping Center)
9th Election District - 6th Councilmanic District
Shopping Center Associates, et al - Petitioners
Case No. 91-272-SPHA

In your March 1 memo you requested that I investigate a sewer problem that is allegedly occurring at the site of your appeal hearing mentioned above.

I would appreciate if you would refer this matter to DEPRM so that they can not only investigate the allegation but, if necessary, take enforcement action to correct the situation. If I do the investigation, I would have to ask DEPRM for the enforcement, since I have no enforcement powers. I have already advised Joseph Merrey by phone about this request, and he indicated he would follow-up on the matter.

GLN:dc

RECEIVED
MAR 11 1991
ZONING OFFICE

285/USGLN

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

March 22, 1991

TO: Mr. J. Robert Haines
Zoning Commissioner

FROM: Mr. Robert J. Aschenbrenner, Director
Division of Ground Water Management

SUBJECT: Petitions for Special Hearing and Zoning Variance South Side
Joppa Road, East of Perring Plaza, (Perring Plaza Shopping Center), 9th Election District - 6th Councilmanic District
Shopping Center Associates, et al - Petitioners Case No. 91-272-SPHA

An investigation of the complaint stated in your memorandum of March 1, 1991 was conducted by this Office.

It was determined that the alleged sewage overflow is actually a high ground water table. A dye test was conducted by Keith Kelly of Eastern Community Services, to confirm that there was no leakage from the sanitary sewer onto the Nusinov property.

Therefore, any problems with the high ground water table may be addressed through Storm Water Management for the proposed construction.

RJA:rmk
Dcc: Mr. Donald C. Outen
HAINES/TXTRM/SUB-SUE

RECEIVED
MAR 25 1991
ZONING OFFICE

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

March 28, 1991

Newton Williams, Esquire
Nolan, Plunhoff & Williams
700 Court Towers
210 W. Pennsylvania Avenue
Towson, Maryland 21204

Judith G. Fader
Attorney at Law
405 E. Joppa Road
Towson, Maryland 21204

RE: Case No. 91-272-SPHA
Shopping Center Associates, et al

Dear Mr. Williams and Ms. Fader:

Please find attached a copy of an inter-office memorandum to me from the Department of Environmental Protection and Resource Management concerning the correspondence generated after the hearing on the captioned matter on February 22, 1991. The memorandum is self-explanatory and it is my intention to render a decision in this matter in the very near future.

Thank you for your time and cooperation.

Very truly yours,
J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmm
att.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

April 3, 1991

Newton A. Williams, Esquire
Nolan, Plunhoff & Williams
210 W. Pennsylvania Avenue, Suite 700
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE
8/5 Joppa Road, E of Perring Plaza
(Perring Plaza Shopping Center)
9th Election District - 6th Councilmanic District
Shopping Center Associates, et al - Petitioners
Case No. 91-272-SPHA

Dear Mr. Williams:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: Judith G. Fader, Esquire
405 E. Joppa Road, Towson, Md. 21204

Mr. Richard Mandelson
4630 Dower Drive, Ellicott City, Md. 21043

Mr. Mike Athas
1999 E. Joppa Road, Baltimore, Md. 21234

People's Counsel

File



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

(301) 887-3180

May 17, 1991

Newton A. Williams, Esquire
Nolan, Plunhoff & Williams, Chtd.
Suite 700, Court Towers
210 W. Pennsylvania Avenue
Towson, Maryland 21204

Re: Case No. 91-272-SPHA (Shopping Center Associates)

Dear Mr. Williams:

Enclosed please find a copy of the Order of Dismissal issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely,
Linda Lee M. Kuzmaul
Linda Lee M. Kuzmaul
Legal Secretary

Enclosure

cc: Hal A. Vasvari - Shopping Center Assoc.
Judith G. Fader, Esquire
Keith Nussinov - C.D.K. & Assoc.
Mickey Cornelius
Mr. Mike Athas
Mr. Richard Mandelson
Mr. John Stamm
Mr. Thomas Kramer
Mr. William Sullivan
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Chief Deputy County Attorney

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Mr. Wirth / SWM DATE: January 22, 1991

Mr. Powell / EIRD
Mr. Pilon / W&S
Mr. Flowers / CBCA
Mr. Fisher / Planning
Mr. Richards / Zoning
Mr. Bowling / DED
Mr. Famili / Traffic
Mr. Weiss / Sanitation
Mr. Beaumont / Land Acq.
Mr. Lutz / House Nos.
Capt. Kelly / Fire Dept.
Mr. Kincer / Rec. & Parks
Mr. Brocato / SHA
Mr. Butcher / C&P

FROM: Susan Wimbley
Bureau of Public Services

SUBJECT: District: 905
Project Name: Perring Plaza Shopping Center
Project No.: 89149
Engineer: G.W. Stephens, Jr. & Associates
Phone No.: 825-8120

ACTION REQUESTED:
CRG Plan Review (Meeting Waived) :
CRG Plan Refinement Review : XX
CRG Non-Material Amendment Review :
CRG Plan Approval Extension Review :
Panhandle Minor CRG Plan Review :
Minor Subdivision Review :

Please review the attached plan for compliance with current regulations and return comments to our office by 2/12/91. If you have no comments or do not need to review this plan, please indicate by placing your initials here.

Thank you for your attention to our request.

SDW:mmm Plan Date: 12/14/90 Comments Date: 2/6/91
cc: File This plan is identical to the plan filed under Zoning Item #231 and assigned Zoning Case #91-272-SPHA. Zoning approves this plan for refinement, subject to the outcome of the requested zoning public hearings.

To: John L.
1/23/91 uor

HOME DEPOT
PERRING PLAZA

Zoning Comments
Red-lined Refinement
DRC Meeting: 7/6/93
Plan Revision Date: 6/23/93

The plan calculations appear correct and are approved for refinement, subject to the understanding that prior to any final zoning approvals the following conditions must be met.

1. Provide a detailed red-lined approved petition plan clearly showing all proposed changes with an explanatory cover letter, along with a check for \$40.00 (made payable to Baltimore County), to Mr. Arnold Jablon, Director of Zoning Administration and Development Management requesting approval of these proposed plan changes as being within the spirit and intent of the Zoning Commissioner's order in case #91-272 and if accepted for approval for inclusion as the amended plan in the zoning hearing case file.
2. Each of the use areas in plan note 10 must be red-lined where changed and the building footprints corrected, along with any and all other changes.
3. Remove the 2 parking spaces/concrete ramp conflict. Indicate in the calculations the number of parking spaces lost to the expansion (including the 15 located under the proposed garden center) and revise all calculations accordingly. The variance note on the plan is incorrect. Correct the note to read verbatim with the granted zoning order.

John L. Lewis
John L. Lewis
Planner II

JLL:scj

cc: zoning case #91-272

LAW OFFICES
NOLAN, PLUNHOFF & WILLIAMS
CHARTERED

SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
(301) 883-7800
TELEFAX (301) 296-2765

November 20, 1990

The Honorable Ann M. Nastarowicz, Esquire
Deputy Zoning Commissioner for Baltimore County
Zoning Commissioner's Office
County Office Building
Towson, Maryland 21204

Dear Commissioner Nastarowicz:

RE: Early Filing Date and Hearing Date
for Shopping Center Associates,
Federal Realty Investment Trust (Perring Plaza)

Thank you very much for the consideration shown to our request for an early filing date and an early hearing date for Perring Plaza.

As you will recall in Case No.: 90-137-SPHA, by your Amended Findings of Fact and Conclusion of Law of April 16, 1990, we were given 120 days to file for a continuation of this case, which unfortunately was not possible.

However, I am pleased to say that Perring Plaza which has fallen on difficult times lately has located another excellent anchor tenant that would locate in the exact same area as the rejected Pace outlet, and which is permitted as a matter of right in the BL-CCC zone. The proposed use is a home improvement store, very much in the nature of Heckinger's which is in a BL-CCC area nearby.

In any case, we find ourselves in a position once again of being required to ask for a parking variance, and also asking to modify an earlier special exception for service garage case to eliminate the Firestone outlet from the site.

RECEIVED
JAN 16 1991

ZONING OFFICE

REVISED PLANS
RECEIVED DEC 18 1990

LAW OFFICES
NOLAN, PLUNHOFF & WILLIAMS
CHARTERED

SUITE 1105, HAMPTON PLAZA
300 EAST JOPPA ROAD
TOWSON, MARYLAND 21204-3012
(301) 883-7800
TELEFAX (301) 296-2765

*Mr. John Lewis
Zoning Office
County Office Bldg.
Towson, Md. 21204*

December 18, 1990

Dear Mr. Lewis: Re: Federal Realty/Perring Plaza Item No. 231
Please find enclosed 12 revised plans for the above site, with revised variances and parking layout. Also enclosed is our check no. 3235 for the revision fee as per your published rate schedule. As you can see the variances we have been lowered from 1750 to 1765 and a driveway and street right of way variance for space have been added.

Thank you for your help. Best regards of yours,
Neilson

LAW OFFICES
NOLAN, PLUNHOFF & WILLIAMS
CHARTERED

SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
(301) 883-7800
TELEFAX (301) 296-2765

January 14, 1991

The Honorable J. Robert Haines, Esquire
Zoning Commissioner
The Honorable Ann M. Nastarowicz, Esquire
Deputy Zoning Commissioner
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Commissioner Haines and Commissioner Nastarowicz:

RE: Shopping Center Associates
Item 231, Followup Case
Confirmation of Consideration
for early Hearing Date

As both of you will recall, and particularly Commissioner Nastarowicz, we tried an earlier case involving Perring Plaza seeking to upgrade it by placing a Pace Outlet on the site. This case is known as Case No.: 90-137-SPHA, and was denied on the basis of Pace being an ineligible use for the BL-CCC zone, and the requested parking variances were not considered on the merits, the main issue having been denied.

We greatly appreciate both of your commitments to permit an early hearing in the new case, Item 231 which was properly filed on December 4, 1990. Please refer to my letter of November 20, 1990, a copy of which is enclosed.

This new case, of course, involves various parking variances, and is a more straight forward case in that respect, since it does not involve any question as to the suitability of the proposed new user.

As we stated in the earlier case, Federal Realty, trading as Shopping Center Associates is very anxious to upgrade

KEEP IN ZONING FILE
91-272-SPHA
SEE REVISED PLAN (REDLINE)
DATED 7/28/93

HOME DEPOT GARDEN CENTER EXPANSION
Perring Plaza Shopping Center

Zoning Comments
CRG Plan Refinement
Plan Distributed: 8/9/93
Comments Date: 8/13/93
DRG Meeting Date: 8/16/93
Prior Zoning Case: 91-272-SPHA

According to the provided information, the proposed changes in buildings results in a decrease in gross leasable area. Subsequently the required parking is reduced from 2,198 spaces to 2,177 spaces (a reduction of 21 spaces). The addition of the garden center expansion reduces the available parking on site from 1,765 parking spaces (as granted in zoning case #91-272-SPHA) to 1,745 parking spaces, a reduction of 20 parking spaces in the provided parking. The relief granted in case #91-272-SPHA was a reduction from 2,198 to 1,765 parking spaces (a total of 433 parking spaces). This plan refinement reflects a reduction in required parking from 2,177 to 1,745 parking spaces for a total of 432 parking spaces.

Based on this information, this plan is within the spirit and intent of the order in zoning case #91-272-SPHA and is approved for zoning without an additional zoning hearing to amend the previous approved plan. Provide two red-lined copies of this plan with all notes permanently affixed to the plan for inclusion in the zoning hearing file. The following note is to be included on these plans: "The reduction in gross leasable area, and resulting decrease in required parking from 433 spaces as approved in zoning case #91-272-SPHA to the 432 spaces proposed has been approved by the Zoning Office in DRG comments dated 8/13/93". See revised approved plans in the zoning case file for further reference.

This plan is approved for CRG refinement subject to the conditions of this letter and all final zoning approvals require compliance with the (blue) commercial checklist.

JLL:scj
cc: zoning file #91-272-SPHA

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
(301) 823-7800
TELEFAX (301) 298-2785

APRIL 15, 1991

The Honorable J. Robert Haines, Esquire
Zoning Commissioner for Baltimore County
Zoning Commissioner's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Commissioner Haines:

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE
S/S Joppa Road, E of Perring Plaza
(Perring Plaza Shopping Center)
9th Election District - 6th Councilmanic District
Shopping Center Associates, et al - Petitioners
Case No. 91-272-SPHA

On behalf of my clients Shopping Center Associates, please note an Appeal to the Baltimore County Board of Appeals from your Findings of Fact and Conclusions of Law of April 3, 1991, in the above entitled matter, and each and every part thereof. Our check for the Appeal fee in the amount of Two Hundred Seventy-Five Dollars (\$275.00) is enclosed, representing One Hundred Twenty-Five Dollars (\$125.00) for the Special Hearing, One Hundred Twenty-Five Dollars (\$125.00) for the Variances and Twenty-Five Dollars (\$25.00) for the Board of Appeals Sign.

Furthermore, we would like to order a copy of the transcript or a copy of the recording, whichever is appropriate, for the Zoning Commissioner Hearing which occurred on Friday, February 22, 1991 at 10:30 a.m. Of course, the Case No. is 91-272-SPHA.

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
(301) 823-7800
TELEFAX (301) 298-2785

APRIL 23, 1991

The Honorable William T. Hackett, Chairman
County Board of Appeals
County Office Building
Towson, Maryland 21204

Dear Chairman Hackett:

RE: REQUEST FOR EARLY HEARING
Shopping Center Associates, et. al. - Petitioners
Case No.: 91-272-SPHA-Perring Plaza

On April 15, 1991, this office noted a precautionary Appeal on behalf of our clients Shopping Center Associates, namely Federal Realty Investment Trust, the owners of Perring Plaza.

Federal Realty in this Parking Variance, another related Variance case, is asking for zoning relief to allow a general upgrading of Perring Plaza, which is somewhat outdated and languishing, including the construction of a new anchor tenant, namely Home Depot.

Federal Realty and Home Depot are both anxious to begin construction and hence would appreciate favorable consideration by the Board for an early date.

An early date would include any cancellation which the Board may have, including but not only, cancellations by this office.

It is anticipated that a neighboring property owner may take an Appeal, which Appeal is the real reason for this precautionary Appeal and this Request.

LAW OFFICES
MARGOLIS, FRITZKER & EPSTEIN, P.A.
SUITE 100
408 EAST JOPPA ROAD
TOWSON, MARYLAND 21204
(301) 823-2322
TELEFAX (301) 537-0098

APRIL 24, 1991

J. Robert Haines, Esq.
Zoning Commissioner for Baltimore County
Zoning Commissioner's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: 91-272-SPHA

Dear Commissioner Haines:

On behalf of my clients, Charles Nusinov & Sons and CDK & Associates, please note an Appeal to the Baltimore County Board of Appeals from your Findings of Fact and Conclusions of Law of April 3, 1991, in the above-entitled matter, and each and every part thereof. Our check for the Appeal fee in the amount of Two Hundred Seventy-five Dollars (\$275.00) is enclosed.

We would also like to order a copy of the transcript or recording of the hearing of this matter which took place on February 22, 1991 at 10:30 a.m.

Very truly yours,
Judith G. Fader
Judith G. Fader

JGF/cnr
Enclosure

cc: Newton A. Williams, Esq.
Mr. William T. Hackett, Chairman
Baltimore County Board of Appeals
Federal Realty

LAW OFFICES
MARGOLIS, FRITZKER & EPSTEIN, P.A.
SUITE 100
408 EAST JOPPA ROAD
TOWSON, MARYLAND 21204
(301) 823-2322
TELEFAX (301) 537-0098

MAY 9, 1991

The Honorable William T. Hackett, Chairman
County Board of Appeals
County Office Building
Towson, Maryland 21204

RE: Shopping Center Associates
Case No.: 91-272-SPHA - Perring Plaza

Dear Chairman Hackett:

On behalf of our clients, Keith Nusinov, General Partner with CDK & Associates, Protestant, please dismiss the appeal filed in the above captioned case.

Very truly yours,
Judith G. Fader
Judith G. Fader

JNP/cni
cc: Mr. Richard Mandelson
Mr. Mike Athas
Federal Realty
Stephens & Associates
Attn: Mr. Jack Stamm, P. E.
The Traffic Group
Attn: Mr. Mickey Cornelius, P. E.
Murphy & McDaniel
Attn: William J. Murphy, Esquire
Attn: Robert T. Shaeffer, III, Esquire

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
CHARTERED
SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
(301) 823-7800
TELEFAX (301) 298-2785

MAY 12, 1991

The Hon. William T. Hackett, Chairman
The County Board of Appeals
County Office Building
Towson, Maryland 21204

RE: Order of Dismissal on Behalf of Shopping Center Associates, Petitioners;
Case No.: 91-272-SPHA-Perring Plaza

Dear Chairman Hackett:

Based upon the May 9 dismissal of their appeal by C. D. K. & Associates, by Keith Nusinov, General Partner, we hereby wish to dismiss our appeal in this matter on behalf of the Petitioner Shopping Center Associates.

These two dismissals, of course, will leave the favorable opinion of the Zoning Commissioner in place, and we will appreciate a Board Order to this effect.

Thanking the Board and its staff for its attention to this dismissal, I am

Respectfully,
Newton A. Williams
Newton A. Williams, Attorney,
Shopping Center & Associates

NAM:brh
cc: Federal Realty Investment Trust
Mr. Richard Mandelson
Mr. Michael Athas
Mr. Jack Stamm, P.E.,
Stephens & Associates
Mr. Mickey Cornelius, P.E.,
The Traffic Group
William J. Murphy, Esq.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Newton A. Williams	700 Court Towers
BURNELL L. LINDQUIST	4900 Hampden Rd. Bethesda, Md.
John J. Stamm	652 Kenilworth Dr.
Thomas G. Kramer	William F. Kirwin Inc. 22 E. SUBURBAN AVE, TOWSON
William F. Sullivan	692 Parkview Ave. #2025 Adelphi, Md.
MICKEY CORNELIUS	40 W. CHESAPEAKE AVE. SUITE 600

91-272 SPHA

PROTESTANT(S) SIGN-IN SHEET

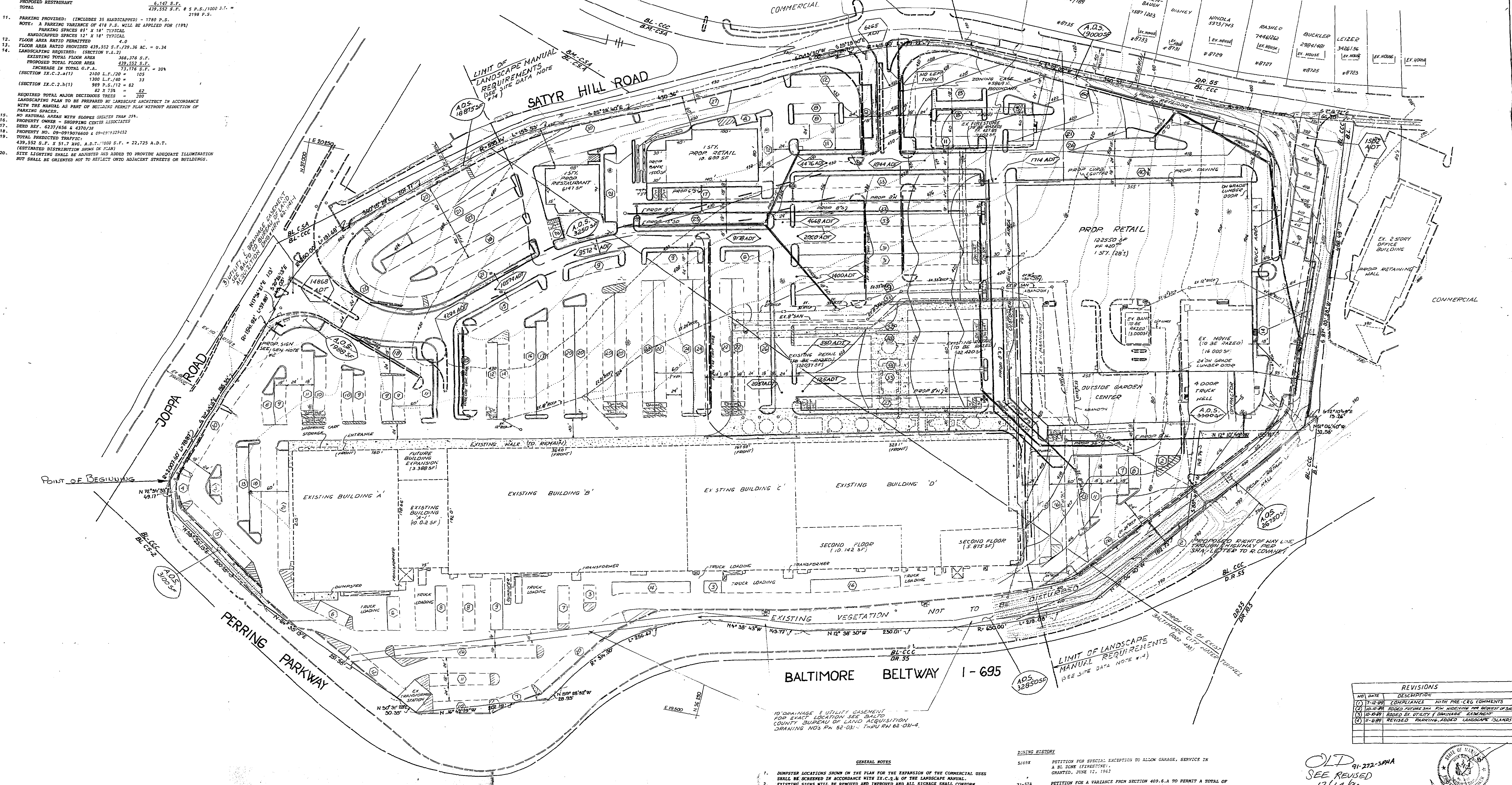
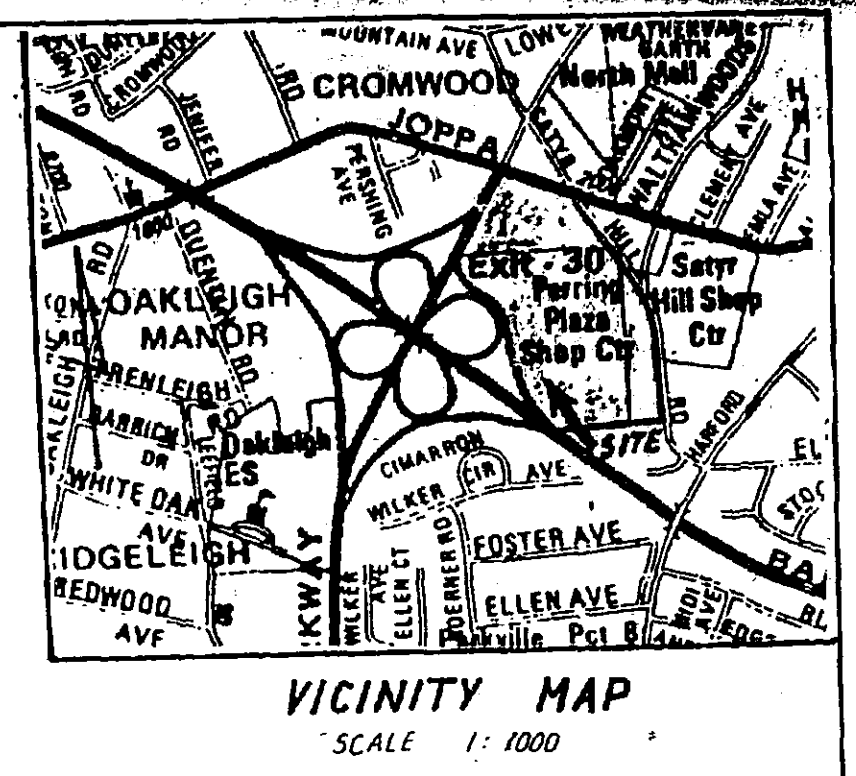
NAME	ADDRESS
Keith G. Fader	408 E. Joppa Road
Keith Nusinov - General Partner C.D.K. & Associates	8700 Spring Hill Rd. #2034
Richard T. Mandelson - Solicitor State Hwy 4 (Rt. 100) - Towson	4530 Downy Rd. Towson, Md.

MARTINIQUE
cafe & club
MIKE ATHAS
read copy of 91-272-SPHA

NOTE DATA

1. ELECTION DISTRICT	9
2. CONGRESSIONAL DISTRICT	8
3. CENSUS TRACT	4919
4. WATERSEED & SUBSEED	22-50
5. SITE AREA (TOTAL & NET)	29.36 AC. ±
6. EXISTING ZONE	BL-COC
7. EXISTING USE	RETAIL SHOPPING CENTER
8. PROPOSED USE	RETAIL SHOPPING CENTER
9. AMPLITY OPEN SPACE (RATIO 0.2)	439,552 ± 0.2 =
10. REQUIRED: (MINIMUM SHOWN)	87,910 S.F.
11. PROVIDED (MINIMUM SHOWN)	109,113 S.F.
12. TO BE MAINTAINED BY OWNER	
13. PARKING REQUIRED:	
14. 'A' BUILDING -	34,400 S.F.
15. 'B' BUILDING -	13,400 S.F.
16. 'C' BUILDING -	69,888 S.F.
17. 'D' BUILDING -	69,888 S.F.
18. 'E' BUILDING -	32,240 S.F.
19. 'F' BUILDING -	62,976 S.F.
20. 'G' BUILDING -	16,072 S.F.
21. SUBTOTAL	298,755 S.F.
22. PROPOSED RETAIL	122,550 S.F.
23. PROPOSED RETAIL	10,600 S.F.
24. PROPOSED RETAIL	1,500 S.F.
25. PROPOSED RESTAURANT	6,147 S.F.
26. TOTAL	439,552 S.F. ± 5 P.S. / 1000 S.F. = 2198 P.S.

11. PARKING PROVIDED: (INCLUDES 35 HANDICAPPED) - 1780 P.S.
- NOTE: A PARKING VARIANCE OF 419 P.S. WILL BE APPLIED FOR (19%)
12. PARKING SPACES 81' x 18' TYPICAL
13. HANDICAPPED SPACES 12' x 18' TYPICAL
14. FLOOR AREA RATIO PERMITTED - 4.0
15. FLOOR AREA RATIO PROVIDED 439,552 S.F. / 29.36 AC. = 0.34
16. LANDSCAPING REQUIRED: (SECTION 14.2)
17. EXISTING TOTAL FLOOR AREA 366,376 S.F.
18. PROPOSED TOTAL FLOOR AREA 439,552 S.F.
19. INCREASE IN TOTAL F.F.A. 73,176 S.F. = 20%
- (SECTION 14.2.2.1(1)) 2100 L.F./20' = 105
- 1300 L.F./10' = 33
- (SECTION 14.2.2.2(1)) 989 P.S./10' = 82
- 82 x 735 = 60,270
- REQUIRED TOTAL MAJOR DECIDUOUS TREES IN ACCORDANCE
- LANDSCAPING PLAN TO BE PREPARED BY LANDSCAPE ARCHITECT IN ACCORDANCE
- NOTE THE MANUAL AS PART OF BUILDING PERMIT PLAN WITHOUT REDUCTION OF
- PARKING SPACES.
16. NO NATURAL AREAS WITH SLOPES GREATER THAN 15%.
17. PROPERTY OWNER - SHOPPING CENTER ASSOCIATES
18. DEED REF. 6137/656 & 4370/38
19. PROPERTY NO. 08-091907660 & 08-091925432
20. TOTAL PREDICTED TRAFFIC:
- 439,552 S.F. x 51.7 VEH. A.D.T. / 1000 S.F. = 22,725 A.D.T.
- (ESTIMATED DISTRIBUTION SHOWN OF 228)
21. SITE LIGHTING SHALL BE ADJUSTED AND ADDED TO PROVIDE ADEQUATE ILLUMINATION
22. SITE SHALL BE ORIENTED NOT TO REFLECT INTO ADJACENT STREETS OR BUILDINGS.



10' DRAINAGE & UTILITY BASEMENT
FOR EXIST. BUILDING SEE BALTO
COUNTY BUREAU OF LAND ACQUISITION
DRAWING NO. 62-03-11-1720 PM 62-03-11-1

- GENERAL NOTES**
1. DUMPSTER LOCATIONS SHOWN ON THE PLAN FOR THE EXPANSION OF THE COMMERCIAL USES SHALL BE SCREENED IN ACCORDANCE WITH 14.2.2.2 OF THE LANDSCAPE MANUAL.
 2. EXISTING SIGNS WILL BE REMOVED AND IMPROVED AND ALL SIGNAGE SHALL CONFORM TO THE BALTIMORE COUNTY ZONING REGULATIONS OR A VARIANCE WILL BE APPLIED FOR.
 3. MATTER OF STORM WATER MANAGEMENT PEAK QUANTITY REQUIREMENTS WAS APPROVED ON JUNE 30, 1989. HALVES OF WATER QUALITY MEASURES WAS APPROVED BY TELEPHONE CONFERENCE ON JULY 10, 1989 BY E.A. BRIDGER, II.
 4. ALL PARKING WILL CONFORM TO SECTION 409.6 OF THE B.C.Z.R.
 5. OUTDOOR STORAGE OF DAMAGED OR DISABLED VEHICLES SHALL COMPLY WITH SECTION 409.4 OF THE B.C.Z.R.
 6. NO EXTERIOR LEASE LINES EXIST AND NONE ARE PROPOSED FOR THE SITE.

REQUIRED ZONING VARIANCES, SPECIAL HEARINGS

1. PARKING VARIANCE TO PERMIT 1780 PARKING SPACES INSTEAD OF THE REQUIRED 2213.
2. SPECIAL HEARING TO RETIRE CASE 5869-X.

- ZONING HISTORY**
- 5169X PETITION FOR SPECIAL EXCEPTION TO ALLOW GARAGE, SERVICE IN A BL-ZONE (EXCEPTIVE) GRANTED, JUNE 12, 1983
 - 71-57A PETITION FOR A VARIANCE FROM SECTION 409.6.A TO PERMIT A TOTAL OF 1958 PARKING SPACES INSTEAD OF REQUIRED 2213, GRANTED, AUGUST 26, 1970
 - 61-51X PETITION FOR A SPECIAL EXCEPTION FOR A COIN OPERATED AMUSEMENT ARCADE, GRANTED, AUGUST 23, 1983
 - 9C-137-SPEDA PETITION TO APPROVE A RETAIL "MEMBERSHIP" OUTLET IN A BL-COC ZONE
 - PETITION TO AMEND A PARKING VARIANCE PREVIOUSLY GRANTED IN CASE NO. 71-57-A
 - PETITION TO AMEND THE SITE PLAN PREVIOUSLY APPROVED IN CASE NO. 5869-X
 - PETITION FOR A SPECIAL EXCEPTION TO USE A PORTION OF THE PROPERTY FOR A SERVICE GARAGE IN CONJUNCTION WITH THE RETAIL "MEMBERSHIP" OUTLET
 - PETITION FOR A VARIANCE TO PERMIT 1703 PARKING SPACES IN LIEU OF THE REQUIRED 2278
- ALL DENIED APRIL 16, 1990

REVISIONS

NO.	DATE	DESCRIPTION
1	11-12-89	CONFORMANCE WITH PRE-CRC COMMENTS
2	10-12-89	ROBOD EXISTING SIGN SIGNAGE FOR DEBERT OF S&A
3	10-12-89	ROBOD EX UTILITY & DRAINAGE BASEMENT
4	11-12-89	REVISED PARKING, ADDED LANDSCAPE ISLANDS

OLD 91-272-SPHA
SEE REVISED
12/14/90

CRG PLAN REFINEMENT
OF
CRG PLAN APPROVED JULY 21/1989
SUBJECT TO ZONING RELIEF PETITIONED
PER CASE #90-137-SPHXA
AND
PLAT TO ACCOMPANY PETITION
FOR
SPECIAL HEARING AND
PARKING VARIANCE

**GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.**
CIVIL ENGINEERS & LAND SURVEYORS
TOWSON, MARYLAND 21204
(301) 825-8120

OWNER
SHOPPING CENTER ASSOCIATES
A FEDERAL REALTY MANAGEMENT INC.
BALTIMORE, MD

PERRY PLAZA SHOPPING CENTER
ELECTION DISTRICT 9
BALTIMORE COUNTY, MD
VOLUME 32, 1990

- SITE DATA**
1. ELECTION DISTRICT 9
 2. CONGRESSIONAL DISTRICT 4
 3. CENSUS TRACT 4919
 4. WATERED & SUBMERGED 22-50
 5. SITE AREA (GROSS & NET) 29.36 AC. ±
 6. EXISTING ZONE RE-CC
 7. EXISTING USE RETAIL SHOPPING CENTER
 8. PROPOSED USE RETAIL SHOPPING CENTER
 9. AMBITY OPEN SPACE (RATIO 0.21) 87,910 S.F.
 10. REQUIRED: 439,552 S.F. ±
 11. PROVIDED (MINIMUM SHOWN) 109,113 S.F.
 12. (TO BE MAINTAINED BY OWNER)
 13. PARKING REQUIRED: 34,400 S.F.
 14. "A" BUILDING - (INCL. PROP. EXP.) - 13,400 S.F.
 15. "B" BUILDING 1ST FLOOR - 69,888 S.F.
 16. "B" BUILDING 2ND FLOOR - 69,888 S.F.
 17. "C" BUILDING - 32,246 S.F.
 18. "D" BUILDING 1ST FLOOR - 62,910 S.F.
 19. "D" BUILDING 2ND FLOOR - 16,072 S.F.
 20. SUBTOTAL 296,755 S.F.
 21. PROPOSED RETAIL 121,550 S.F.
 22. PROPOSED RETAIL 10,600 S.F.
 23. PROPOSED RESTAURANT 1,500 S.F.
 24. TOTAL 439,552 S.F. ±
 25. 2198 P.S.

- NOTES:**
1. A PARKING VARIANCE OF 188 P.S. WILL BE APPLIED FOR (19.7%).
 2. HANDICAPPED SPACES 12' X 18' TYPICAL.
 3. FLOOR AREA RATIO PERMITTED 4.0.
 4. FLOOR AREA RATIO PROVIDED 439,552 S.F. / 29.36 AC. = 0.14.
 5. LANDSCAPING REQUIRED: (SECTION 14.2.1)
 6. EXISTING TOTAL FLOOR AREA 344,376 S.F.
 7. PROPOSED TOTAL FLOOR AREA 439,552 S.F.
 8. INCREASE IN TOTAL G.F.A. 23,176 S.F. = 6.7%
 9. (SECTION 14.2.2.1) 2100 S.F. / 20 = 105
 10. (SECTION 14.2.2.1) 1300 S.F. / 10 = 130
 11. (SECTION 14.2.2.1) 989 S.F. / 12 = 82
 12. 62 P.T.S. = 22
 13. REQUIRED TOTAL MAJOR DECIDUOUS TREES = 200
 14. LANDSCAPING PLAN TO BE PREPARED BY LANDSCAPE ARCHITECT IN ACCORDANCE WITH THE MANUAL AS PART OF THE RETAIL PERMIT PLAN WITHOUT REDUCTION OF PARKING SPACES.
 15. NO NATURAL AREAS WITH SLOPES GREATER THAN 25%.
 16. PROPERTY OWNERS - SHOPPING CENTER ASSOCIATES
 17. DEED REC. 6371656 & 6370136
 18. PROPERTY NO. 08-0919074600 & 09-0919329432
 19. TOTAL PROPOSED TRAFFIC: 439,552 S.F. ± @ 51.7 VEH. A.D.T. / 1000 S.F. = 22,725 A.D.T.
 20. (ESTIMATED DISTRIBUTION SHOWN ON PLAN)
 21. SITE LIGHTING SHALL BE ADJUSTED AND ADDED TO PROVIDE ADEQUATE ILLUMINATION BUT SHALL BE ORIENTED NOT TO REFLECT ONTO ADJACENT STREETS OR BUILDINGS.
 22. ALL PARKING SPACES SHALL BE PAVED WITH THE DURABLE, CRACKLESS SURFACE PROPERLY COMPACTED AND ALL PARKING SPACES SHALL BE PERMANENTLY STRIPED.

- REQUIRED ZONING VARIANCES, SPECIAL HEARING (ITEM 1231)**
1. VARIANCE FROM SECTION 409.6.A.2 TO PERMIT 1765 PARKING SPACES INSTEAD OF THE REQUIRED 2198
 2. VARIANCE FROM SECTION 409.4 TO PERMIT DIRECT ACCESS PARKING ON A VEHICLE DRIVEWAY
 3. VARIANCE FROM SECTION 409.4.A TO PERMIT A ONE WAY DRIVE-THROUGH LAKE OF 9' INSTEAD OF THE REQUIRED 12'
 4. VARIANCE FROM SECTION 409.6.A.4 TO PERMIT EXISTING PARKING SPACES 0' TO THE RIGHT-OF-WAY LINE OF A PUBLIC STREET IN LIEU OF THE REQUIRED 10'
 5. SPECIAL HEARING TO RETIRE CASE 5869-X

- GENERAL NOTES**
1. DUMPSTER LOCATIONS SHOWN ON THE PLAN FOR THE EXPANSION OF THE COMMERCIAL USES SHALL BE SCREENED IN ACCORDANCE WITH SECTION 14.2.1.5 OF THE LANDSCAPE MANUAL.
 2. EXISTING BUILDINGS WILL BE MAINTAINED AND ALL STRUCTURES SHALL CONFORM TO THE BALTIMORE COUNTY ZONING REGULATIONS OR A VARIANCE WILL BE APPLIED FOR.
 3. WATER OF STORM WATER MANAGEMENT PEAK QUANTITY REQUIREMENTS WAS APPROVED ON JUNE 30, 1989. WAIVER OF WATER QUALITY MEASURES WAS APPROVED BY TELEPHONE CONFIRMATION ON JUNE 10, 1989 BY E.A. DREIER, JR.
 4. ALL PARKING WILL CONFORM TO SECTION 409.4 OF THE B.C.Z.R.
 5. OUTDOOR STORAGE OF DAMAGED OR DISABLED VEHICLES SHALL COMPLY WITH SECTION 405.4 OF THE B.C.Z.R.
 6. NO EXTERIOR LEASE LINES EXIST AND NONE ARE PROPOSED FOR THE SITE.
 7. PARKING OUTSIDE BOUNDARY LINE NOT INCLUDED IN TABULATION.

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|----------|---|------|-------|------------------------------------|
| 1 | 7-12-89 | COMPLETION | W.H. | W.H. | FOR REVIEW |
| 2 | 10-10-89 | REMOVED OUTSIDE SIGN | R.M. | W.H. | IN ACCORDANCE WITH REQUEST OF S.M. |
| 3 | 10-29-89 | ADDED 24 UTILITY EASEMENTS | W.H. | W.H. | |
| 4 | 11-6-89 | REVISED PARKING, ADDED LANDSCAPING ISLANDS | W.H. | W.H. | |
| 5 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 6 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 7 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 8 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 9 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 10 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 11 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 12 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 13 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 14 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 15 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 16 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 17 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 18 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 19 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 20 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 21 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 22 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 23 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 24 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 25 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 26 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 27 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 28 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 29 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 30 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 31 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 32 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 33 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 34 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 35 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 36 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 37 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 38 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 39 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 40 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 41 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 42 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

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- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 43 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

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- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 44 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

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- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
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| 45 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

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- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 46 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

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- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
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| 47 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

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- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 48 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
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| 49 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

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- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 50 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 51 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 52 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

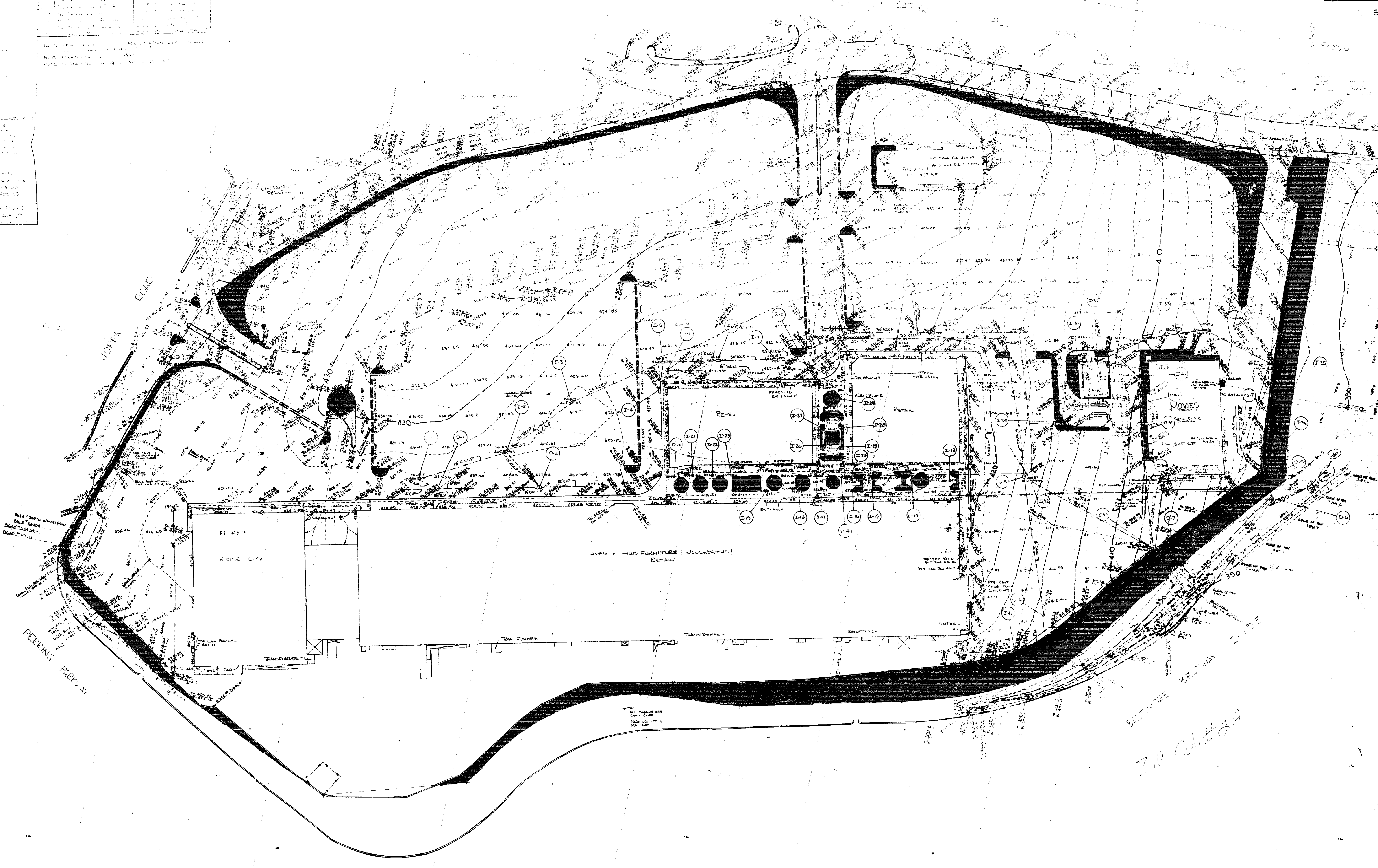
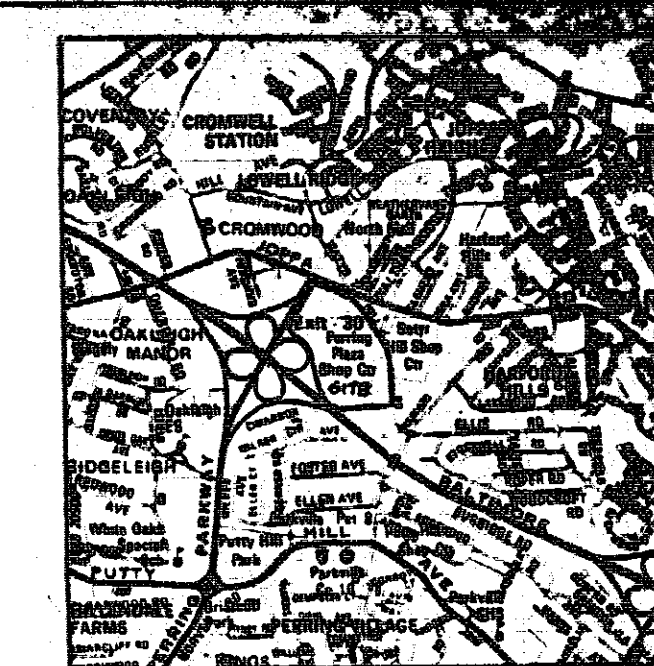
- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 53 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 54 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 55 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|---|------|-------|----------|
| 56 | 12-9-89 | REVISED EXISTING ISSUES AND LANDSCAPING ISLANDS | W.H. | W.H. | |

- REVISIONS**
- | NO. | DATE | DESCRIPTION | BY | CHKD. | COMMENTS |
|-----|---------|------------------|----|-------|----------|
| 57 | 12-9-89 | REVISED EXISTING | | | |

[illegible]

TOPOGRAPHICAL WORKSHEET

"PERRING PLAZA SHOPPING CENTER"

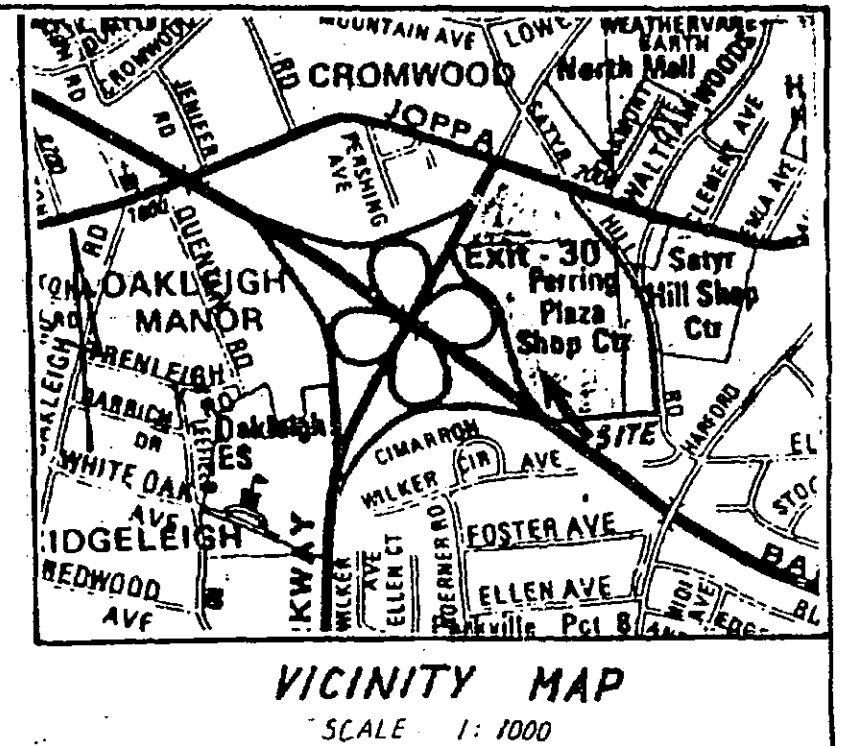
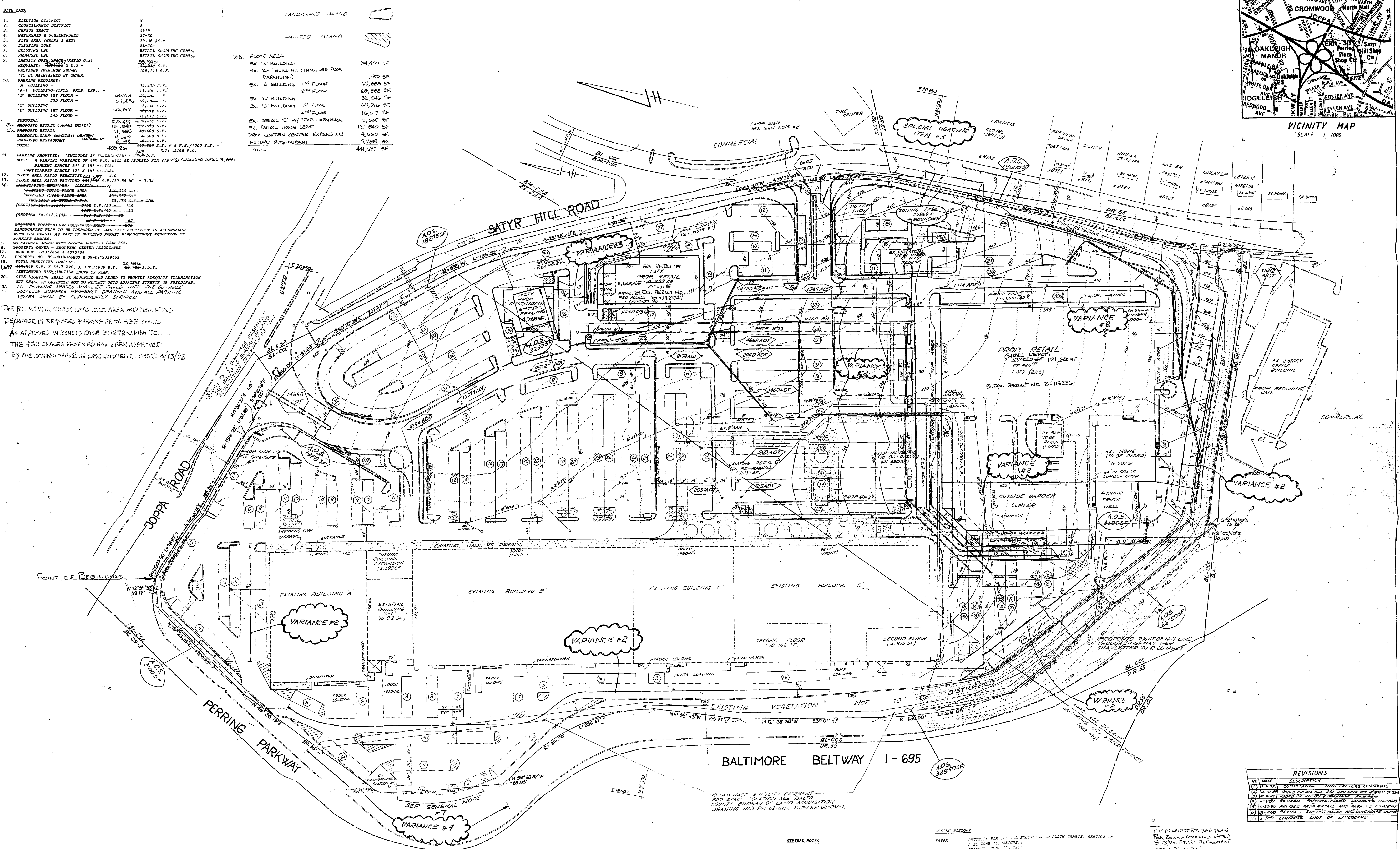
BALTIMORE CO., MD.
SCALE: 1 INCH = 50 FEET

ELECT. DIST. 9
DATE: MAY 3, 1989

SIZE DATA

1. ELECTION DISTRICT	9
2. COUNCILMANIC DISTRICT	8
3. CENSUS TRACT	4919
4. WATERSHED & SUBWATERSHED	22-50
5. SITE AREA (GROSS & NET)	29.16 AC.
6. EXISTING ZONE	BL-COC
7. EXISTING USE	RETAIL SHOPPING CENTER
8. PROPOSED USE	RETAIL SHOPPING CENTER
9. AMENITY OPEN SPACE (RATIO 0.2)	58,320 S.F.
10. REQUIRED: 25,000 S.F. =	58,320 S.F.
PROVIDED (MINIMUM SHOWN)	109,113 S.F.
(TO BE MAINTAINED BY OWNER)	
PARKING REQUIRED:	
'A' BUILDING	34,400 S.F.
'A-1' BUILDING (INCL. PROP. EXP.)	13,400 S.F.
'B' BUILDING 1ST FLOOR	49,888 S.F.
2ND FLOOR	99,888 S.F.
'C' BUILDING	72,246 S.F.
'D' BUILDING 1ST FLOOR	62,916 S.F.
2ND FLOOR	16,017 S.F.
SUBTOTAL	292,407 S.F.
PROPOSED RETAIL (HUMAN GROUP)	131,840 S.F.
PROPOSED RETAIL	11,565 S.F.
PROPOSED RESTAURANT (HUMAN GROUP)	4,440 S.F.
PROPOSED RESTAURANT	4,440 S.F.
TOTAL	420,251 S.F.
NOTE: 1. PARKING PROVIDED: (INCLUDES 35 HANDICAPPED) - 4960 P.S.	
NOTE: 2. A PARKING VARIANCE OF 430 P.S. WILL BE APPLIED FOR (19,776) GRANTED APRIL 9, 1991	
NOTE: 3. PARKING SPACES 12' X 18' TYPICAL	
NOTE: 4. HANDICAPPED SPACES 12' X 18' TYPICAL	
NOTE: 5. FLOOR AREA RATIO PERMITTED (A/R) 4.0	
NOTE: 6. FLOOR AREA RATIO PROVIDED 492,251 S.F./29.16 AC. = 0.34	
NOTE: 7. LANDSCAPING REQUIRED (SECTION 4-1.1)	
LANDSCAPING - TOTAL PLANT AREA	966,376 S.F.
LANDSCAPING - PLANT AREA	429,251 S.F.
LANDSCAPING - PLANT AREA	12,150 S.F.
(SECTION 4-1.1.1)	2100 S.F. = 105
(SECTION 4-1.1.2)	1200 S.F. = 60
(SECTION 4-1.1.3)	900 S.F. = 45
REQUIREMENTS - PLANT AREA - (SECTION 4-1.1.4)	60 S.F. = 3
LANDSCAPING PLAN TO BE PREPARED BY LANDSCAPE ARCHITECT IN ACCORDANCE	
WITH THE MANUAL AS PART OF BUILDING PERMIT PLAN WITHOUT REDUCTION OF	
PARKING SPACES.	
NO RETAIL AREAS WITH SLOPES GREATER THAN 25%.	
PROPERTY OWNER - SHOPPING CENTER ASSOCIATES	
DEED REF. 02/27/84 & 4/27/88	
PROPERTY NO. 09-091976600 & 09-091932452	
TOTAL PROPOSED TRAFFIC:	22,934
PROPOSED S.F. X 51.7 AVG. A.D.T./1000 S.F. = 4,440 A.D.T.	
(ESTIMATED DISTRIBUTION SHOWN ON PLAN)	
NOTE: 1. SITE LIGHTING SHALL BE ADJUSTED AND ADDED TO PROVIDE ADEQUATE ILLUMINATION	
NOTE: 2. SITE LIGHTING SHALL BE ADJUSTED AND ADDED TO PROVIDE ADEQUATE ILLUMINATION	
NOTE: 3. ALL PARKING SPACES SHALL BE PAVED WITH THE DURABLE	
NOTE: 4. DUSTLESS SURFACE PROPERLY MAINTAINED AND ALL PARKING	
NOTE: 5. SPACES SHALL BE PERMANENTLY STRIPED.	

THE PLAN IN CROSS LEASABLE AREA AND RESULTING DECREASE IN REQUIRED PARKING FROM 430 SPACES AS APPROVED IN ZONING CASE 91-272-SPHIA BY THE 430 SPACES TRAFFIC HAS BEEN APPROVED BY THE ZONING BOARD IN DEC. 1990 AND 6/13/93



- REQUIRED ZONING VARIANCES, SPECIAL HEARING (ITEM #231)**
- VARIANCE FROM SECTION 409.6.A.2 TO PERMIT 1765 PARKING SPACES INSTEAD OF THE REQUIRED 2198
 - VARIANCE FROM SECTION 409.4 TO PERMIT DIRECT ACCESS PARKING ON A VEHICLE TRAVELWAY
 - VARIANCE FROM SECTION 409.4.A TO PERMIT A ONE WAY DRIVE-THROUGH LANE OF 9' INSTEAD OF THE REQUIRED 12'
 - VARIANCE FROM SECTION 409.8.A.4 TO PERMIT EXISTING PARKING SPACES 10' TO THE RIGHT-OF-WAY LINE OF A PUBLIC STREET 22' WIDE OF THE REQUIRED 10'
 - SPECIAL HEARING TO REZONE CASE 5869-X

- 91-272-SPHIA - PETITION FOR ZONING VARIANCE TO PERMIT 1765 PARKING SPACES IN LIEU OF THE MAX. REQUIRED 2198 TO PERMIT DIRECT ACCESS PARKING ON A VEHICLE TRAVELWAY, TO PERMIT A ONE-WAY DRIVE-THROUGH LANE WIDTH OF 9' IN LIEU OF THE REQUIRED 12', AND TO PERMIT EXISTING PARKING SPACES TO BE 10' FROM THE RIGHT-OF-WAY LINE OF A PUBLIC STREET IN LIEU OF THE REQUIRED 10', IN ACCORDANCE WITH PETITIONER'S EXHIBIT 1, BE AND IS HEREBY GRANTED APRIL 9, 1993.**
- GENERAL NOTES**
- DUMPSTER LOCATIONS SHOWN ON THE PLAN FOR THE EXPANSION OF THE COMMERCIAL USES SHALL BE SCREENED IN ACCORDANCE WITH 12.1.2.3 OF THE LANDSCAPE MANUAL.
 - EXISTING STORMS WILL BE REMOVED AND IMPROVED AND ALL STORMAGE SHALL CONFORM TO THE BALTIMORE COUNTY ZONING REGULATIONS OR A VARIANCE WILL BE APPLIED FOR.
 - WATERSHED OF STORM WATER MANAGEMENT PEAK QUANTITY REQUIREMENTS WAS APPROVED ON JUNE 30, 1989. WAIVER OF WATER QUALITY MEASURES WAS APPROVED BY TELEPHONE CONFIRMATION ON JULY 10, 1989 BY L.A. DRISCOLL, ET.
 - ALL PARKING WILL CONFORM TO SECTION 409.8 OF THE P.C.Z.R.
 - OUTDOOR STORAGE OF DAMAGED OR DISABLED VEHICLES SHALL COMPLY WITH SECTION 405.4 OF THE P.C.Z.R.
 - NO EXTERIOR LEASE LINES EXIST AND NONE ARE PROPOSED FOR THE SITE.
 - PARKING OUTSIDE BOUNDARY LINE NOT INCLUDED IN TABULATION.

- ZONING HISTORY**
- 5869-X PETITION FOR SPECIAL EXCEPTION TO ALLOW GARAGE, SERVICE IN A BL-208R (REZONING) GRANTED, JUNE 12, 1987
 - 71-57A PETITION FOR A VARIANCE FROM SECTION 409.6.A TO PERMIT A TOTAL OF 1958 PARKING SPACES INSTEAD OF REQUIRED 2213. GRANTED, AUGUST 24, 1970
 - 84-51X PETITION FOR A SPECIAL EXCEPTION FOR A COIN OPERATED AMUSEMENT ARCADE. GRANTED, AUGUST 21, 1983
 - 90-137-SHMA PETITION TO APPROVE A RETAIL "MEMBERSHIP" OUTLET IN A BL-COC ZONE GRANTED, AUGUST 21, 1983
 - PETITION TO AMEND A PARKING VARIANCE PREVIOUSLY GRANTED IN CASE NO. 71-57-A
 - PETITION TO AMEND THE SITE PLAN PREVIOUSLY APPROVED IN CASE NO. 5869-X
 - PETITION FOR A SPECIAL EXCEPTION TO USE A PORTION OF THE PROPERTY FOR A SERVICE GARAGE IN CONJUNCTION WITH THE RETAIL "MEMBERSHIP" OUTLET
 - PETITION FOR A VARIANCE TO PERMIT 1000 PARKING SPACES IN LIEU OF THE REQUIRED 2278
 - ALL DENIED APRIL 16, 1990

THIS IS LATEST REVISED PLAN PER ZONING COMMENTS DATED 5/19/93 BY BALTIMORE COUNTY ZONING BOARD. SEE COPY IN THIS FOLDER FILE.

PUBLIC SERVICES CRG #28149

CRG PLAN REFINEMENT

CRG PLAN APPROVED JULY 21, 1989

SUBJECT TO ZONING RELIEF PETITIONED PER CASE #90-137-SPHIA

AND

PLAT TO ACCOMPANY PETITION

SPECIAL HEARING AND

PARKING VARIANCE

91-272-SPHIA REV. 7/28/93

GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.

CIVIL ENGINEERS & LAND SURVEYORS

658 KENILWORTH DRIVE, SUITE 100

TOWSON, MARYLAND 21204

TEL: 410-251-2100

OWNER

SHOPPING CENTER ASSOCIATES

10 FEDERAL TRAIL MANAGEMENT, INC.

10000 JOPPA ROAD, SUITE 100

JOPPA, MARYLAND 21084

PERFUME PLAZA SHOPPING CENTER

ELECTION DISTRICT 9

BALTIMORE COUNTY NO.

10000 JOPPA ROAD, SUITE 100

JOPPA, MARYLAND 21084

[illegible]

SHIPPING SERVICES CRG #2914
CURRENT PLANNING NO. 541

1111 N. ALFA SHOPPING CENTER



91-272
SPHA

LANDSCAPED ISLAND

PAINTED ISLAND

15. NO NATURAL AREAS WITH SLOPES GREATER THAN 25%.

16. PROPERTY OWNER - SHOPPING CENTER ASSOCIATES

17. DEED REF. 6237/456 & 4370/38

18. PROPERTY NO. 09-09190764600 & 09-091329432

19. TOTAL PREDICTED TRAFFIC:

20. 439,552 S.F. X 51.7 AVG. A.D.T./1,000 S.F. = 22,725 A.D.T.

(ESTIMATED DISTRIBUTION SHOWN ON PLAN)

21. SITE LIGHTING SHALL BE ADJUSTED AND ADDED TO PROVIDE ADEQUATE ILLUMINATION.

22. BUT SHALL BE ORIENTED NOT TO REFLECT ONTO ADJACENT STREETS OR BUILDINGS.

23. EXISTING UNDERGROUND UTILITIES SHALL BE DELETED WITH THE DRAINABLE

24. JOULESS SURFACE PROPERLY DRAINAGE AND ALL PARKING

25. SPACES SHALL BE PERMANENTLY STRIPED



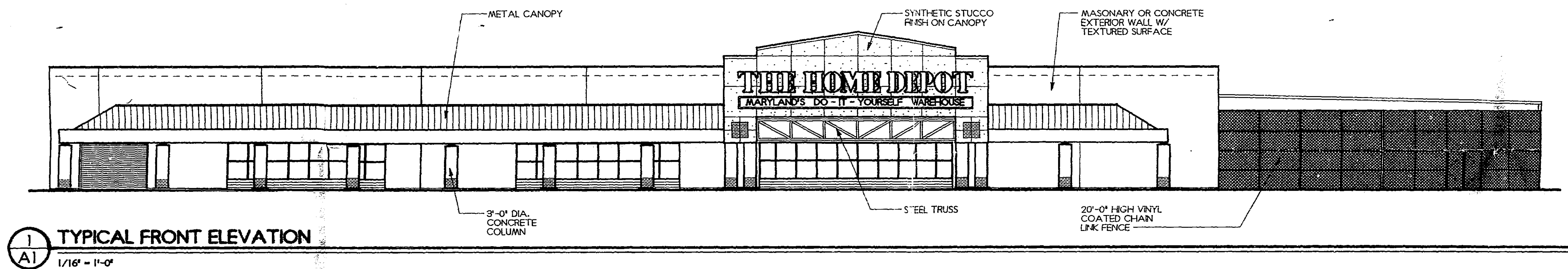
PUBLIC SERVICES CRG #39149
CURRENT PLANNING No IX 541

PIERRE PLAZA SHOPPING CENTER

GWS

OWNER
SHOPPING CENTER ASSOCIATES
10 FEDERAL CREDIT MANAGEMENT INC
141 WARDEN ROAD
BETHESDA, MARYLAND 20814

ELECTION DISTRICT 9 BALTIMORE COUNTY MD
SCALE 50 JUNE 1990



1
A1
TYPICAL FRONT ELEVATION
1/16" = 1'-0"

91-272-SPHA
PETITIONER'S
EXHIBIT 3

PROCESSED PRINTS

REVISIONS AFTER PARTIAL OR FULL RELEASE

PROJECT NAME
HOME DEPOT U.S.A. INC.
PERRING PLAZA SHOPPING CENTER
BALTIMORE COUNTY, MARYLAND

PROJECT NUMBER
000000

SHEET TITLE
ELEVATION
PRELIMINARY

SCALE
1/16" = 1'-0"

RELEASE STATUS OF THIS DRAWING

DATE 2/2/91
DRAWN BY ASS/CD
CHECKED BY
PROJECT ARCH/CD
PROJECT NO.

DESIGNED BY
ARCHITECTURAL FIRM

A1

PETITIONER'S EXHIBIT 4



Two Paces West • 2727 Paces Ferry Road • Atlanta, Georgia 30339 • 404-433-0000

91-272 SPHA

CORPORATE OFFICE:

2727 Paces Ferry Road, Two West
Atlanta, Georgia 30339

WEST COAST REGIONAL OFFICES:

NORTHEAST OFFICES:
239 Old New Brunswick Road
Piscataway, New Jersey 08854

South Placentia Avenue
Fullerton, California 92631

FLORIDA SOUTHERN OFFICE:
3030 N. Rocky Point Drive West
Tampa, Florida 33607-5903

SOUTHWEST OFFICE:
222 West Las Colinas Blvd., Suite 1650
Irving, Texas 75039 08854

NEW ENGLAND OFFICE:
6 New England Executive Park, Suite 400
Burlington, Massachusetts 01803

FACTS AND FIGURES:

- The Home Depot formed in 1978 and approached \$2.8 billion in sales for the fiscal year ended January 1990.
- We presently operate 145 warehouse home centers.
- We opened 30 new stores in the fiscal year 1990, some of which were in selected new markets, and we plan to open approximately 40 new stores in 1991.
- We presently operate in Florida, Georgia, Alabama, Louisiana, South Carolina, Tennessee, Texas, New Jersey, New York, Connecticut, Arizona, and California.
- We employ approximately 22,000 people chainwide.
- We will locate free-standing or in integrated shopping centers.
- Home Depot is characterized by its flexibility and creativity in sites. We are an excellent anchor tenant to kick off a rehab program for an older center. We are also interested in retrofitting industrial buildings where ample land is available to create parking for a retail environment.
- Our preference is to own the real estate. We do, however, enter into net or ground leases as the case may be.
- In most markets, our warehouse stores are 100,000 square feet. In certain select markets our stores are only 50,000 square feet of outdoor garden sales area. A typical site for the 100,000 square-foot store ranges from 9.0 to 10.0 acres. For the smaller stores, 7.0 to 8.0 acres.

MICKEY A. CORNELIUS PRINCIPAL



Mickey Cornelius is a registered Professional Engineer with over eight years experience in the Highway Transportation and Traffic Engineering profession. He has served as a consulting traffic engineer for more than six years. His experience includes both the public and private sectors has provided Mr. Cornelius with a broad range of knowledge.

Mr. Cornelius has conducted numerous Traffic Impact Studies throughout the Baltimore-Washington Metropolitan area, from small residential subdivisions to multi-million square foot, mixed use developments. He has served as a

Transportation Planner for the development of Master Plans for both private firms and government agencies. Traffic signal warrant studies, traffic signal design, and traffic control plans are examples of the types of projects Mr. Cornelius has undertaken while practicing as a consulting traffic engineer.

Mr. Cornelius' educational and professional background have qualified him as an expert in the field of traffic engineering and transportation planning before numerous County and municipal planning and zoning boards in Maryland and Pennsylvania.

JOB HISTORY

1984 to Present

Traffic Engineering Consultant

1982-1984

Civil Engineer, Highway Construction

S.J. Groves and Sons Co.

EDUCATIONAL BACKGROUND

B.S. in Civil Engineering with emphasis in Transportation—
The Pennsylvania State University
Traffic Engineering Courses—Northwestern University-Traffic
Institute—Polytechnic Institute of New York

AFFILIATIONS

Registered Professional Engineer (P.E.)
Institute of Transportation Engineers (I.T.E.)
National Society of Professional Engineers (N.S.P.E.)

PLACES WHERE MR. CORNELIUS HAS QUALIFIED AS AN EXPERT WITNESS

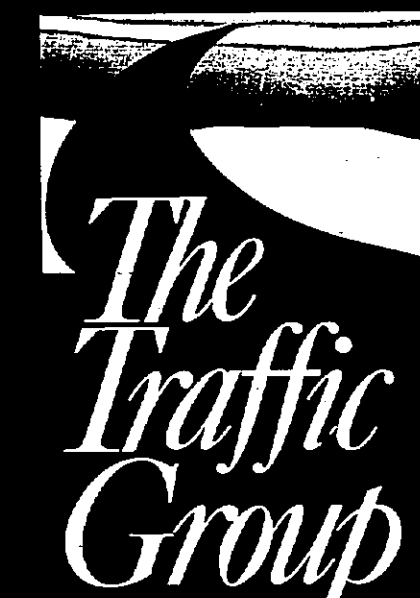
Board of Appeals—Anne Arundel County, Md.
Zoning Hearing Examiner—Anne Arundel County, Md.
Zoning Commission—Baltimore County, Md.
County Review Group (CRG)—Baltimore County, Md.
Board of Appeals—Baltimore County, Md.
Board of Appeals—Charles County, Md.
Planning Advisory Board—City of Bowie, Md.
Mayor and City Council—City of Bowie, Md.
Planning Board—Howard County, Md.

County Council—Howard County, Md.
Board of Appeals—Montgomery County, Md.
Zoning Hearing Examiner—Montgomery County, Md.
Planning Board—Montgomery County, Md.
Planning Board—Prince Georges County, Md.
County Council—Prince Georges County, Md.
Planning Board—Town of Bel Air, Md.
County Council—Town of Bel Air, Md.
Town Commissioners—Town of Bel Air, Md.
Zoning Hearing Examiner—Town of Bel Air, Md.
Zoning Hearing Board—Manchester Township, Pa.

PETITIONER'S EXHIBIT 5

91-272 SPH

The Traffic Group, Inc. Suite 600 40 W. Chesapeake Avenue Towson, Maryland 21204 301-583-8405 Fax 301-321-8458



Updated
Parking Study
for the
Proposed Expansion
of the

PERRING PLAZA SHOPPING CENTER

Baltimore County, Maryland

Prepared for

SHOPPING CENTER ASSOCIATES

91-272 SPH

PETITIONER'S EXHIBIT 6

February 11, 1991

1989 Annual Report

Our objective is to create value through the intensive

management and redevelopment of

community and neighborhood

shopping centers. The fundamentals of our redevelopment strategy —

reconfiguration,



expansion, and remerchandising — have proven highly

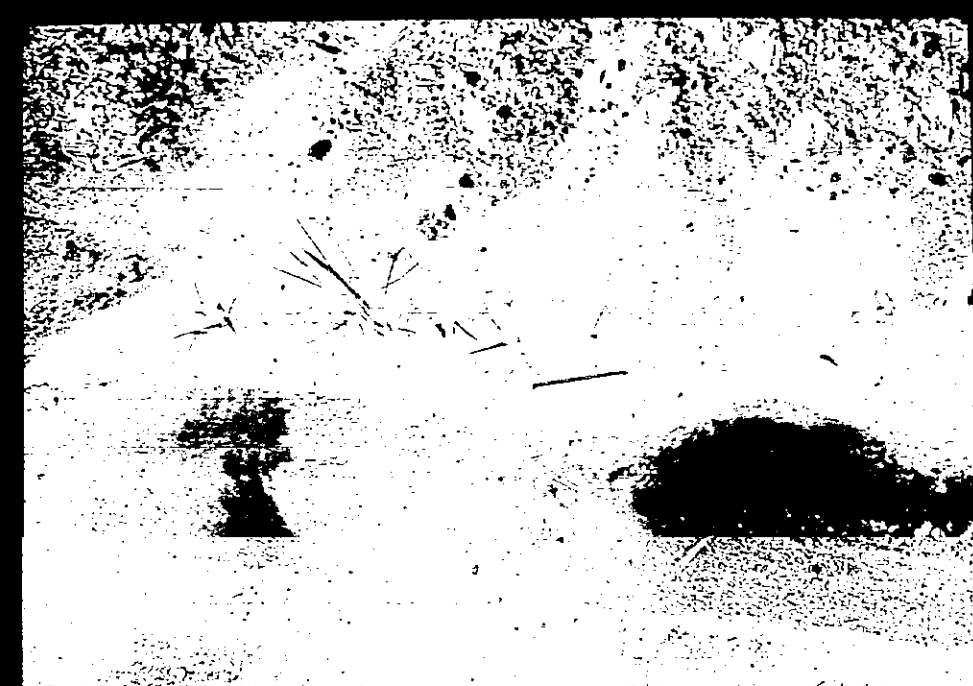
effective, enabling us to achieve record

performance and build long-term value

for our shareholders.



PROTESTANT(S) EXHIBIT (1)

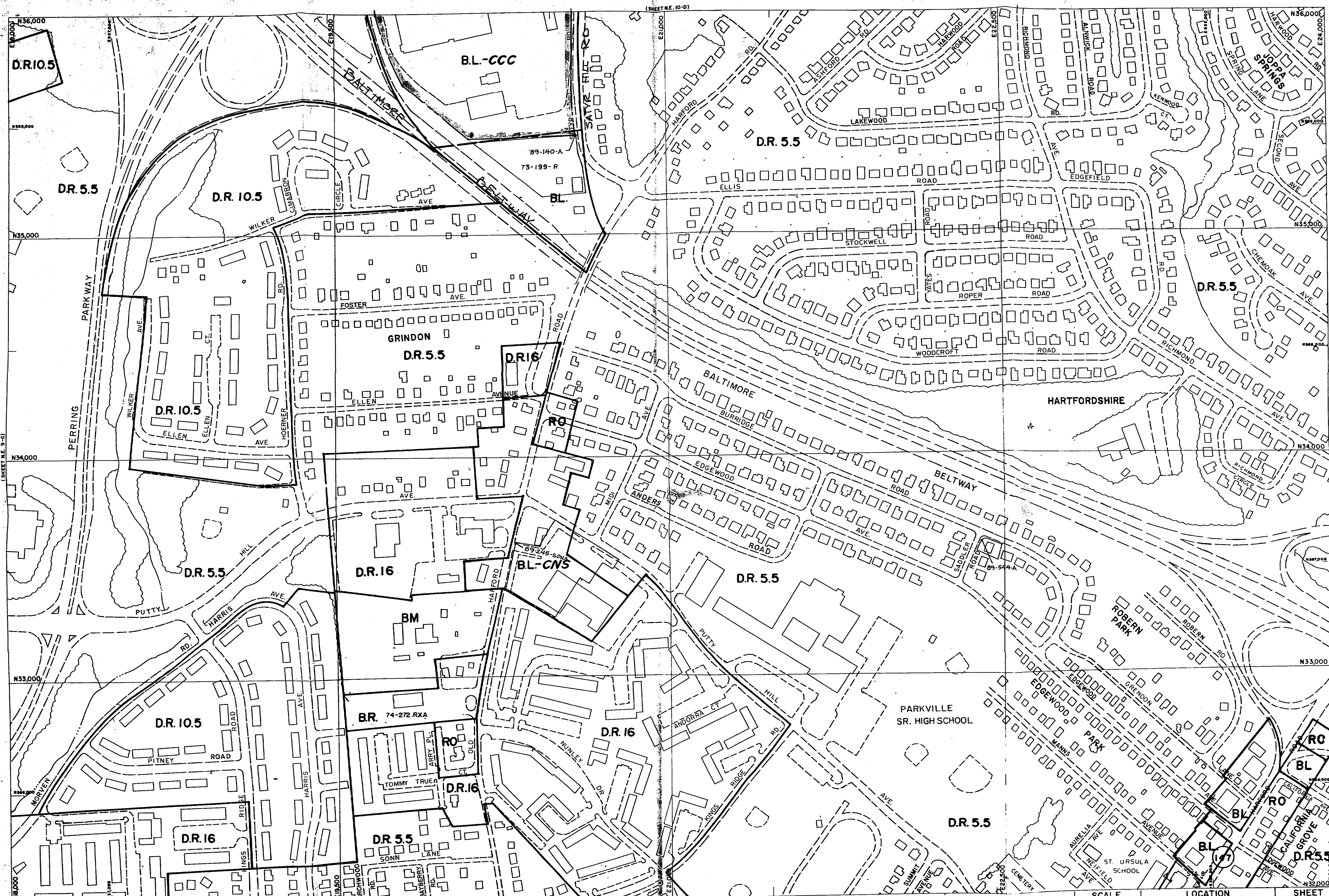


PROTESTANT(S) EXHIBIT (1A)



PROTESTANT(S) EXHIBIT (1B)





N-NE

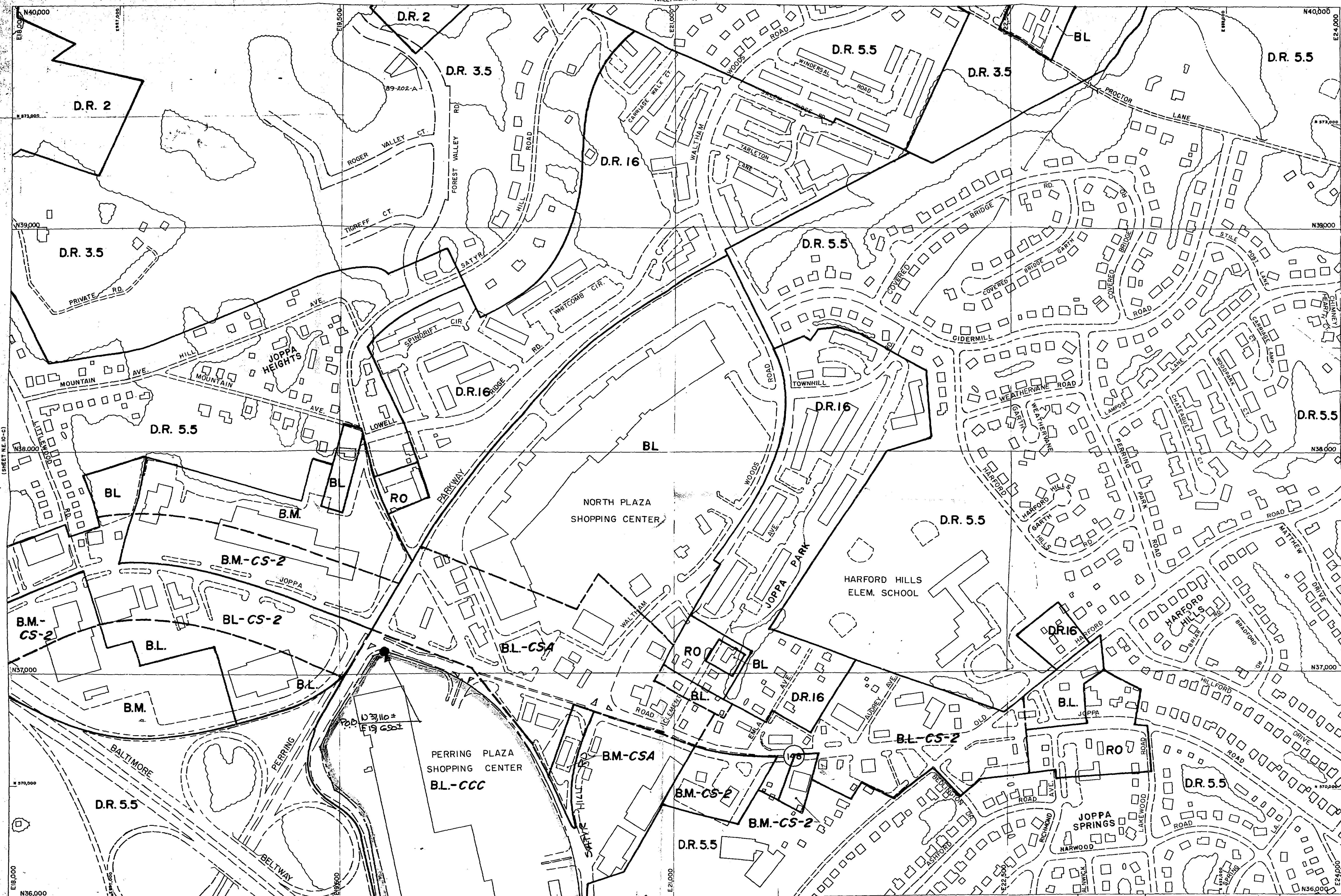
1988 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 Oct. 13, 1988
 Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
 TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

SCALE 1" = 200' ±	LOCATION 91-272-SPHA PARKVILLE	SHEET N.E. 9-D 1 of 2
DATE OF PHOTOGRAPHY JANUARY 1986	231	

PERRINE PLAZA S.C.
 Zoning Petition-Zoning Map
 11-29-90



N - NE
R - SE

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
JULY 13, 1988
B.C. Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200' ±	CARNEY	N.E.
DATE OF PHOTOGRAPHY		
JANUARY 1986		10-D 2 of 2

Perring Plaza S.C.
Zoning Petition - Zoning Map
11-29-98